

All Letters intended for publication in the "Solicitors' Journal" must be authenticated by the name of the writer, though not necessarily for publication.

Where difficulty is experienced in procuring the Journal with regularity in the Provinces, it is requested that application be made direct to the Publisher.

The Solicitors' Journal.

LONDON, FEBRUARY 18, 1865.

WE ARE REQUESTED TO ANNOUNCE that the Right Hon. the Lord Chief Justice Erle will preside at the fifth anniversary festival for the benefit of the Solicitors' Benevolent Association, to take place in June next, at the Freemasons' Tavern. We trust that the profession will make a point of attending, at once to do honour to the chairman and this valuable charity.

WE HAVE THE HIGHEST RESPECT for the "great unpaid:" we consider the gratuitous performance of a great public duty by the gentry of England as by no means the least important peculiarity of our constitution: but we are constrained to admit that this institution is not entirely free from the imperfections which cleaves to all human affairs. Some of the recorded decisions at petty sessions are, to us at least, inexplicable. We found lately in the daily press an account of one of these judicial curiosities. In a provincial seaport town a man was charged before the magistrates with setting fire to his chimney. The defendant was said to have quarrelled with his wife about her crinoline, an article of dress which he would not allow her to wear. He took it from her, put her out of the house, and then, pushing the crinoline up the chimney, set fire to it by upsetting a paraffin oil lamp into the fireplace, by which means he set the chimney on fire. The bench told him he was liable to a penalty of £5, but they only inflicted a fine of ten shillings "under the circumstances."

Under the circumstances! What circumstances? Does the fact that man has so little control over his own temper that in wantonly destroying his own property he recklessly risks that of his neighbour constitute an "extenuating circumstance?" Or will he rely in mitigation of the penalty due to his offence on the circumstance that his wife had irritated him by wearing an objectionable article of dress? We see no objection to his forcing her to lay it aside if he could do so without breaking the law. Or is the "*circumstance atténuante*" simply that the man had gallantly thrown himself into the breach, and done that which most of us long to do, and none of us dare attempt; destroyed his wife's crinoline? We think it must be so; but while we sympathise with the husbands on the bench, we cannot follow the judicial reasoning of their worships.

"Crinoline is a most dangerous thing;" true; but a chimney once set on fire might be the means of an extensive destruction of life and property, such as all crinolines, from the invention thereof to this day, have not caused, and the penalty attached to the offence charged was intended to prevent conflagrations. Besides there was a very riot of recklessness in the manner of the act which would seem to us to negative any possible suggestion which might be made in mitigation.

If a husband, unable to overcome his wife's perversity by any milder measures, chooses to destroy an offending article of dress, he may indeed deserve the sympathies not only of a bench of justices, but of all the—henpecked and other—husbands in England; but if in the exercise of his right to destroy that which is his own, he violates the law to the possible injury of his neighbours,

"The man may pity, yet the judge condemns;" and we can see no ground for any relief from the due punishment.

THE SAFFRON-HILL MURDER, as it is called, presents features of an unwonted description, and such as have been rarely met with in the annals of crime. Several Italians were concerned in a disturbance at the Golden Anchor, and two of them, Seratino Pellizzioni and Gregorio Mogni "ran a muck" amongst a crowd of Englishmen, of whom several were wounded, and one died of his wounds. Pellizzioni was convicted of the murder, and Mogni was known to have escaped, but no charge was made against him. The execution of Pellizzioni has been fixed for Wednesday, the 22nd instant. Last week Mogni was discovered at Birmingham, and when he heard of the conviction and condemnation of Pellizzioni, whom he claimed as a relation, he voluntarily confessed and asserted himself to be the slayer of Michael Harrington. Meantime the minutes fly on, and the day of execution approaches. The self-accused man is had up before the magistrates twice and remanded, and ultimately, on Tuesday last, was fully committed to take his trial for the murder of Michael Harrington. The trial cannot take place before the day fixed for the execution of Pellizzioni, and the authorities will be called upon to decide whether a reprieve shall be granted in the case of the condemned man, or whether, in the events which have happened, they will feel justified in letting the law take its course. Why the custom should prevail we are at a loss to understand; but it is a well-established custom not to inflict the last penalty in a case where a reprieve has once been granted. It is quite possible that the effect of the conviction of Mogni, if he be convicted, would not be to acquit Pellizzioni, but who is to decide that point before the trial has taken place? Already a memorial to the Home Secretary has been sent in, praying for a commutation of the sentence, and that, we believe, before the capture of Mogni took place; but, even with the additional fact of the committal for trial, the Home Secretary will have a difficult task, unless he can decide upon recommending a commutation of the sentence for reasons apart from those generally known. What then is to be done? Is the real murderer, assuming him to be so, to escape because another comes forward and confesses to having committed the crime? or, are two men to be hanged for a crime confessedly committed by only one of them? There is little doubt that the guilt lies between the two, but we can scarcely hang one while the trial of the other is pending. It is better to err on the side of mercy, and, therefore, unless the usual custom can be departed from in this case, there seems to be no alternative but a reprieve for Pellizzioni, and his imprisonment during her Majesty's pleasure, which term may be extended for the life of the prisoner, or exchanged for a free pardon, according to circumstances.

WE ARE INFORMED that it is intended to confer the rank of Queen's Counsel on Mr. Joshua Williams, the eminent conveyancer, on Mr. De Gex, the veteran reporter, and on Mr. E. F. Smith, of the Equity Bar.

WE DESIRE TO CALL THE ATTENTION of the profession to the following extracts from a document in our possession which is issued as a

"Prospectus of the National Registry and Trade Protection Offices, established 1856, for the protection of merchants, tradesmen, and the community at large from fraud; for the collection of debts on a speedy and economical principle, and for affording the best information obtainable as to the commercial standing of persons applying for credit.

"Chief offices—97, Newgate-street, London, E.C.

"London Solicitor—John Todd, Esq., at these offices, and at 75, Newgate-street, E.C.

"Collection of debts department.—Subscribers are entitled to have any number of accounts collected in any part of the United Kingdom during their term of membership at a charge of two and a-half per cent. upon the

amount actually recovered. They are also entitled to the professional assistance of a solicitor in the recovery of their accounts in the superior and other courts; and *when the law costs are not recovered from the debtor, the subscriber is only responsible for the fees that may have been actually paid in the prosecution of the case.*

"One solicitor is always in attendance at this office to attend to any personal application from subscribers, and whose advice and instructions subscribers are entitled to, *free of charge.*"

That there are men in the profession who act on the "no cure no pay" principle is a fact which we have, of course, known and lamented; but that any solicitor should be found ready and willing to exhibit himself in print as the man who would do such a thing, almost exceeds belief. The questions, what should be done with such men? and what power, if any, the profession has either by internal regulations or the assistance of the law to protect itself against practitioners of this class? we well deserve the most serious consideration of the various law societies.

ONE OF THOSE "SCENES" which are, we regret to say, becoming only too common in some of the inferior courts, took place last week in the Thames Police Court. It appears that on the 24th of January, a person named Gruit attended that court and asked advice of Mr. Paget, the sitting magistrate, with reference to a matter of complaint which he had, or believed himself to have, against a friendly society in Liverpool. Mr. Paget, it appears also, declined to entertain the application, and he is reported further to have advised the applicant "to write to the manager or secretary at the head office, No. 16, Prescott-street, Liverpool, and also to Mr. David Wellspring, of 149, Pentonville-hill, keep copies of his letters, and demand immediate answers." He was very much afraid that the Society might be a deception. People ought to be very cautious in joining benefit societies which appointed out-door collectors. There were respectable and well-established benefit societies in the district which did not have recourse to the expedients of the society complained of and others of a similar nature.

It is obvious that these remarks must be understood on the assumption that the complaint which had been made was well founded, and cannot be taken to be any confirmation of the charge on the part of the magistrate. The society, however, seem to have considered themselves aggrieved by these remarks, and, accordingly, they last week instructed counsel to attend the court and make a statement for the purpose of convincing the magistrate that he had been imposed upon by the person who made the charge, and that the society, instead of being a "deception" is in a state of the highest possible prosperity.

Mr. Paget, as might have been expected, very properly (if he will permit us to say so) declined to permit the time of the public to be occupied by a matter of that sort; at the same time he offered, if they had any complaint to make, to hear it.

So far, so good; and we have not a word to say against any of the actors in the case. But now comes the scene.

According to a report issued upon the authority of the society itself, the following altercation occurred:—

Mr. Metcalfe.—Excuse me for saying if there is any inconvenience it has been brought on by the magistrate making remarks in a case in which he believed he had no jurisdiction.

Mr. Paget.—I believe the only action I took in the matter, if I am right in my recollection, was this:—An application was made to me which I considered, under the circumstances, I had no jurisdiction to entertain. It was then stated to me, in the course of the proceedings by the complainant (a statement for which I am in no respect answerable), as to the great hardship he had himself suffered, that great hardship had been inflicted in many other instances. I said that it appeared to me, from the statement of the facts, I had no jurisdiction in the matter, and therefore I declined to act. I also remember that I suggested

that the proper place for application, if any of these charges were to be substantiated, would be to the magistrates at Liverpool—the police and the magistrates at Liverpool were perfectly competent to deal with any matter before them, and that that was the proper place for inquiry. That is the substance of what took place, if I recollect rightly.

Mr. Metcalfe.—Besides that, what you said, if I may rely upon the report, was, that you were "very much afraid the society was a deception," and "people ought to be very cautious in joining benefit societies which appointed out-door collectors. There were respectable and well-established benefit societies in the district which did not have recourse to the expedients of the Royal Liver and other societies of a similar nature." That is what you are reported to have said.

Mr. Paget.—I cannot allow this court to be made a place for publishing any society.

Mr. Metcalfe.—Is it proper to make reflections upon a society, and not to allow them to be corrected publicly in this court? You have made remarks reflecting on this society, and yet you will not allow any explanation to be given.

After some further conversation, the paper containing the report objected to was handed up to the magistrate, who proceeded to read it aloud, when Mr. Metcalfe interposed with the remark—

The passage I read is in the middle—"Mr. Paget was very much afraid the society was a deception."

Mr. Paget.—I am very much afraid it may be so still. I know this, that I am not the only magistrate—

Mr. Metcalfe.—Will you allow an explanation?

Mr. Paget.—No.

Mr. Metcalfe.—I think that is a very improper observation.

Mr. Paget.—I must request you to sit down. I cannot permit this court to be made an advertising office for the Royal Liver Society.

Mr. Metcalfe.—I shall most undoubtedly advise my clients to bring an action against the magistrate, and I have no doubt it will be done.

Mr. Paget.—I shall be most happy to meet it.

Mr. Metcalfe.—If these observations are to be permitted to be made here by you, and no explanation is to be allowed, I think it is quite time that such proceedings were taken against you.

We cannot but consider this a most unseemly exhibition. We are no advocates for the undue repression of the liberties of counsel, and our readers will remember that when the case of Mr. Pater was decided by the Court of Queen's Bench against that gentleman, we stated that we considered that judgment "of dangerous consequence;" but there is a marked difference between permitting the utmost latitude to counsel in the conduct of a cause, and even over-looking with some determined kindness faults of temper or expression into which, in the heat of the moment, counsel—or judges—may be betrayed; and countenancing a deliberate attack upon the dignity of a judge whose only fault, as between him and counsel at any rate, seems to us to have been that he was not sufficiently peremptory in repressing an attempt to convert his court into an irregular sort of "discussion forum."

THE PROFESSION gets an accession of strength in the House of Commons by the election of Mr. Nicholas Dan Murphy as member for the city of Cork, *vice* Dr. Francis Lyons, who resigns in consequence of infirm health. Mr. Murphy is an attorney and solicitor of old standing and large practice; his cousin, the late Mr. Serjeant Murphy (of the English bar), afterwards a commissioner of the Insolvent Debtors' Court, represented the same constituency in Parliament for many years.

MR. JOHN PITT KENNEDY, who recently left the Irish bar to practice in India, has been selected to fill the important office of Recorder of Rangoon.

WE PERCEIVE that the Lord Chancellor has appointed Mr. H. J. Stonor, Chief Commissioner of the West India Incumbered Estates Court, to the Judgeship of

the County Courts in Circuit No. 45 (Surrey and Berks). We have frequently had occasion to refer to the learning and ability with which the new judge has discharged the duties of his present office, where his loss will be much felt. We are glad to learn that so able and zealous a public servant has at length received a permanent appointment. Mr. Stonor was called to the bar on the 25th November, 1842, by the Honourable Society of the Middle Temple.

WE HEAR that the Benchers of Lincoln's-inn have adopted, by a large majority, the opinion of the small majority of the delegates from the four Inns of Court in favour of admitting to the bar clergymen who have (as far as they can) abandoned the clerical profession; leaving it to the bishops to take such steps as they may think fit, by refusal of licence or institution, to prevent such persons resuming their clerical functions.

THE OXFORD CLAIM OF COGNIZANCE.

The large jurisdiction conferred on the Chancellor of the University of Oxford by the letters patent or charter which Henry VIII. granted, in the fourteenth year of his reign, has come before the Queen's Bench during the time when the arguments raised on the Queen's right to invest the Bishop of Capetown with the judicial power exercised by him against Dr. Colenso are awaiting their fruit in the Privy Council committee. But Queen Elizabeth adopted due precautions to shut out any such question, either as to her father's letters patent, or as to the letters patent which she herself, in the third year of her reign, granted to the University of Cambridge. By these instruments the universities received each a constitution with courts, jurisdictions, and powers which, according to Coke, were not grantable by charter. It appears from *In the Matter of a claim of cognizance by the University of Oxford in several actions by Parsons v. Bagnall and Others*, in the Queen's Bench, January 19th, that Henry VIII. gave to the chancellor of that university, his commissary, or his deputy, or the steward, under steward, and other judges of the chancellor deputed, exclusive cognizance in "all manner of trespasses, and other offences whatsoever, as also of misprisions, extortions, conspiracies, confederacies, maintenances, false allegations, accounts, contracts, and injuries whatsoever, and all other articles which may fall in fine or pecuniary punishment, and of all other pleas and complaints, personal and other causes whatsoever (assizes and pleas of freehold only excepted), after what manner soever arising, done, or committed within the town of Oxford, the suburbs, or the county of Oxford, or elsewhere within the kingdom of England, where the scholars or any other person who ought to have privilege of the university, or those to whom the chancellor, &c., shall challenge, is or shall be one of the parties." The students, therefore, and privileged persons were to be no longer subject to the ordinary tribunals in any criminal case where the sentence did not reach life or limb, or in any civil case where the plea was not of the freehold.

It could scarcely be expected that a people which had always jealously resisted the attempts made by the Church of Rome to withdraw priests from lay tribunals, would be content, at the Queen's bidding, now that the Sovereign was the acknowledged head of the English Church, to submit, without question, to such a withdrawal from the jurisdiction of the courts of the country of the members of a body which preserved the strongest resemblance to be found in the kingdom to the monastic orders existing before the Reformation. At this period, too, the civil reformation was dawning, the object and effect of which were to make the feudal subordinate to the magisterial character of the Crown. It was certain, at least, that if ever the question of cognizance were raised between a court at Westminster and the courts at Oxford and Cambridge Universities, lawyers arguing against the Crown would take some such objec-

tions to the charters of 1522 and 1561 as have been lately heard taken against the letters patent of December, 1853. Nothing but the subserviency of the judge would be able to save the University Chancellor from an adverse decision, and the Crown from a recall of its own solemn instrument. "Which, being espyed," says Coke, Queen Elizabeth, who, to his knowledge—he adds parenthetically—not only spoke French, Italian, and Spanish, but was learned in Latin and Greek, and, therefore, we suppose, capable of forming her own opinion on the constitutional point involved in the charters, took steps to make things sure. For her great love and favour towards the universities, and the great zeal and care of Parliament for good and godly literature, and the virtuous education of youth within either of them, and that their ancient privileges, liberties, and franchises, confirmed by the Queen and her progenitors, might be of greater force, the chancellor, masters, and scholars of the respective universities were incorporated, in the thirteenth year of the Queen (c. 23), with the usual powers of corporations; and it was enacted that the letters patents of Henry VIII. to the University of Oxford, and of the Queen to the University of Cambridge, and all other letters patents by any of the Queen's progenitors or predecessors made to them severally, should be good, as if recited verbatim in the Act. But the Act was not to prejudice the liberties of the corporations of the town of Cambridge and city of Oxford. By this "blessed Act of Parliament," as it is termed by the quaint old law giant whom we have mentioned, the franchises and privileges of the universities were protected against *quo warranto*, *scire facias*, or other opposition, for all time to come.

The two great communities of learning were already ancient corporations before this Act of Elizabeth, but it is possible that there may have been some obscurity in the proof of the fact, particularly as regards Cambridge, where there had been an early destruction of muniments. The mayor, bailiffs, and commonalty of the town, in the time of Richard II., broke into the treasury of the university, and took and burned its charters, and also compelled the chancellor and scholars to give a release of their liberties to the town corporation; but writs were afterwards issued to the town corporation, and to the mayor and bailiffs, and the release was ordered to be cancelled. The King then seized the town liberties into his hands, and bestowed on the chancellor and scholars the cognizance of ale, bread, weights, measures, regrators, and fore-stallers. That university, therefore, was already in Elizabeth's time, possessed of both municipal and judicial jurisdiction.

No attempt was made in the Queen's Bench to drive the O'Connell coach and horses through the Act of Elizabeth. It was found conclusive in its language, when the Earl of Derby, as Chancellor of Oxford University, sending his greeting to the Lord Chief Justice and the other judges of the Court, and setting forth the charter of Henry VIII. and the statutory confirmation of it, prayed that they would, by virtue of the privileges granted, suspend and supersede an action brought against Mr. Charles Bagnall, an undergraduate of Merton, by one Parsons, for goods supplied at Oxford to the amount of £6 2s. 9d., and remit the cognizance of the action to the Chancellor. Three other actions by Parsons were similarly circumstanced, except that the amounts were larger. A rule had been obtained to show cause why the chancellor's request should not be complied with. The matter first shown for cause was peculiar. According to the practice and the law of the Oxford University Court, suitors must appear and plead by proctors authorised and admitted so to do by the university, and not by attorneys or barristers. But notwithstanding all the conspiracies, confederacies, maintenances, and other offences, and the complaints and personal and other civil causes within the sweep of the Elizabethan enactment, the Oxford court has come very nearly to the same reduced condition as Sydney Smith's congregation

when it consisted of "dearly beloved Roger," his parish clerk. Whether the cause be that the Oxford tradesmen prefer waiting to recover their money until their creditors have taken their degrees, gone from the university, and ceased to be privileged persons, or that they make good debts pay for bad, and so do not recover from defaulters at all, it is certain that any plaintiffs and defendants in the University Court would have but one proctor between them. There are only two proctors altogether qualified to practice there, and one gentleman has given up the career as hopeless. But then, answered the Chief Justice, the plaintiff might at least have secured for himself the remaining gentleman, so that this cause shown was not held good. How the gownsmen was to shift for advocacy was a question that formed no part of the case in the Queen's Bench, and must be left to the paternal care of the chancellor, who would force him into the domestic forum.

A complaint was made, by way of further cause shown, that the administration of justice in the University Court was unsatisfactory. The grounds of the complaint were not stated, and the complaint itself was not insisted on or discussed. If there were any such grounds, the Queen's Bench, it is apprehended, could not entertain that subject. Redress against maladministration must be sought rather from the Queen as visitor, by petition to the Great Seal. In addition, questions were raised on the want of enrolment of Lord Derby's claim of cognizance on the roll of the Queen's Bench when the rule was obtained, and on the time when, and the form in which, the claim was made. Of these technicalities it is sufficient to say that they were disposed of in the chancellor's favour. See 13 W. R. 315.*

The substantial objection taken on behalf of the plaintiff in the action was, that, in all claims of cognizance, the old authorities and books of practice intimated that such a claim was not to be encouraged. But the Lord Chief Justice considered the university jurisdiction to be a very salutary one. The Legislature had, no doubt, said, that it was better that cases should be tried in the superior courts, where it was assumed there were greater opportunities for the satisfactory determination of any questions of law that might arise. But, on the other hand, one could see that a local court must be extremely useful in deciding questions arising on contracts for debts within the ambit of the university, amongst the resident members. Questions might sometimes arise whether the goods supplied were necessary for a minor; and that must depend upon the customs and usages sanctioned by the university authorities. This view, which does not go beyond the mode of evidence in an action, appears to be somewhat restricted if it be compared with the liberal objects, which we have mentioned, of the confirmatory Act of Elizabeth. It was not legal procedure, but "good and godly literature" and "virtuous education," that her Parliament contemplated in establishing the Oxford and Cambridge domestic courts on a firm footing. The probability is, that, in such a case as the present, the interruption to the study and college course of an undergraduate by the enforcement of a debt, attended with arrest, was the evil intended to be guarded against. It was considered a greater evil that learning should be checked, than that shopkeepers, who ply their trade by soliciting freshmen to buy on credit at exorbitant prices, should not be allowed the process of the ordinary courts, to screw the money out of the creditors in their third year, when every week becomes of vital importance to the degree. At the same time, if the intention of the Oxford University authorities be, as stated in the Queen's Bench, to appoint three fresh proctors, and to set their court in full motion, the administration of justice there must be vigilantly watched. Apart from the abuses which recollections of Palace and Passage Courts bring to mind, an Oxford or Cambridge tradesman is under the power of the univer-

sity authorities in a manner that applies to no other tradesmen in the kingdom. If he offends or is deemed to offend them he is liable to be discommoded, or deprived of the custom of the gownsmen. Having regard to the relations, between the dons and the subject members of the universities, on the one side, and between the universities and the townspeople on the other, we can scarcely feel satisfied until we have an opportunity of seeing the principles and practice of the university courts unfolded and vouched in some authentic shape. In the absence of such an assurance, it will not be taken for granted that the powers given by the charter of Henry VIII. are suited to the present day. The common law is not there prescribed as an obligatory rule of administration. "The chancellor, &c.," says the Oxford charter, in continuation of the passage which we have quoted from it, "shall or may inquire, and shall have full cognizance and correction thereof, and such pleas, complaints, causes, and matters, in whatever place within the town of Oxford, or the suburbs thereof, or the precincts of the university as they shall think fit, and execution thereof, according to their statutes and customs, or according to the law of England, at the will of the chancellor, &c." The chancellor, therefore, may choose between two systems. The principles and precedents of the one are laid up in the university archives, those of the other are to be found on every lawyer's shelves. We trust, that, as such an option is given, some adequate means may be afforded of forming an opinion of these statutes and customs, otherwise the chancellor must be content to abide by the law of England.

THE LAW OF BANKRUPTCY—REPORT OF THE COMMITTEE.

IV.

(Continued from page 264.)

We now desire to direct the attention of our readers to the more important parts of the evidence relating to orders of discharge.

These orders, as our readers know, were the creation of the new Act, which substituted them for the old certificates of conformity, from which they differ in many essential particulars.

The attention of the committee was naturally drawn to this alteration of the law, and much valuable information was obtained by reference to the practical working of the new system.

Mr. C. E. Lewis, examined by the chairman—Q. "Have you any suggestion to make as to orders of discharge?"—A. "I would suggest that notice of opposition should be given to the bankrupt. It was the law under the Act of 1849. Now no notice of opposition is required, and a man may come up for his order of discharge without knowing that any creditor opposes him, and, therefore, he is unprepared to meet a case of which he has had no notice. Then, clause 159 is, I suggest, exceedingly defective in this, that there is no power of punishment, either by the commissioner or by a criminal court, for fraudulently contracting a debt. That was a punishable offence under the Act of 1849, but is not so now. Then, fraudulent preference has, I suppose, been turned into a criminal offence; but it is difficult to get a jury to convict a man for it. The consequence is, that, by increasing the apparent severity of the punishment for that offence, the offence itself goes unpunished in ninety-nine cases out of a hundred, although the offence is more common now than it was in 1861. Bills of sale to friends and relatives are more common now than they were before 1861." Q. "What action do the commissioners take in these cases?"—A. "They have no power to punish, except by saying to the creditor, 'You must go to the criminal court.' The consequence is, that an enormous disposal of property to the injury of the creditors, in numerous cases passes unnoticed. Then, with reference to those cases in which the commissioner does exercise the power of refusing the order of discharge

or suspending it, it acts in this way, that no creditor can oppose a bankrupt's order of discharge without first proving his debt. By proving his debt, he relinquishes any action at law that he may have brought. He may oppose his debtor. He may get that debtor refused his discharge; but he can take no action for the purpose of punishing him. The only persons who can imprison him are those who have not proved their debts. By the 159th section there is a special power given to the commissioner of imprisonment for a term not exceeding one year; but there is no provision as to where the imprisonment is to take effect. In the 221st section the criminal clause is followed by powers being given to the commissioner analogous to those of a justice of the peace. That is not given as regards the power of imprisonment under the 159th section; and the consequence is that all the leading practitioners in London have agreed that they do not see their way to the carrying out a sentence of imprisonment under that section." Q. "Do the commissioners consequently decline to act upon it?"—A. "They do not decline; but in some instances they have sentenced a man to imprisonment, and no one has ventured to carry the sentence into effect. I have refused to execute any such order, for fear I should render myself liable to an action. I think that the terror of imprisonment is of advantage."—Q. "Is it a sort of *ex post facto* offence?"—A. "If a man is about to become a bankrupt, and he knows that he runs a risk by vexatiously defending an action, and that he is subject to punishment, it would have the same effect. I think an impression has got abroad that, under this act of Parliament, debtors have a very easy life of it."—Q. "There was no such power of imprisonment before?"—A. "But there was the imprisonment under the B. a certificate, which was also for not more than a year."—Q. "Has the commissioner's power of imprisoning never been resorted to?"—A. "It has been resorted to by a judgment in six or seven cases in London since the act was passed, and I am not sure whether in one case the bankrupt was arrested, but if in one case, only in one."—Q. "You would extend the commissioner's power of punishment on the order of discharge?"—A. "Yes, I would extend, and I would narrow its power: I would affix a stigma upon a man, but I think that refusing a man's order of discharge altogether is harsh in the extreme, and I think it falls short of the mark. Men pass under false names and get credit, and the trading community suffers in consequence of an uncertificated bankrupt being compelled to resort to shifts of that description. I would take away the power of refusing the order of discharge altogether; but I would enlarge the powers of punishment, and allow the commissioners to suspend the man for a term even of ten years. To take the case of a man who makes away property by handing it over to his family; you cannot get a jury to convict unless it is an extreme case, whereas it is proper to punish him by the judgment of the commissioners."—Q. "Then in your opinion this clause requires alteration?"—A. "Yes."

Mr. Lewis subsequently observes—"I know that at one time an attempt was made to get from a bankrupt who had obtained his order of discharge a deposit to cover the official assignees' expenses. It was resisted by the solicitors, and the attempt failed; but it was said in that case that the Lord Chancellor had sanctioned it. We have had to contend with these under-handed attempts to make the court a solvent court. The practice prevailed at one time of granting orders of discharge with a condition annexed that the man should pay the expenses which the Court of Bankruptcy had incurred in his case, if there were no assets. There are several orders upon the file of the Court of Bankruptcy granting to a man his order upon his paying the official assignee a fee, and the fees of the official solicitor."—Q. "Were there no assets?"—A. "There were no assets, and no offence proved against the bankrupt; his discharge was granted upon his paying the expenses of the court and its officers."

We need hardly call attention to the gross abuse of the

powers of the Court here described: to whomsoever the fault may be due—and we do not pause to consider that point—it must be clear that the public are the sufferers: if a debtor without assets deserves his order of discharge, he should get it whether he—presumably out of subsequently-acquired property—pays the court fees or not; if he do not deserve to be discharged, it savours too much of the nature of a bribe—not to the individual, but the office—to permit him to go free on the terms, not of paying one shilling to his creditors, but of indemnifying the Court from loss.

To return to the general question:—

On this Mr. E. Lawrence says as follows:—"At present the commissioners are restricted within the powers of the 159th section of the Bankruptcy Act of 1861, and, consequently, many grievous offenders remain unpunished. The Lord Chancellor has laid it down that the commissioners were restricted within the terms of the 159th. The creditors, therefore, in a vast number of cases, can get no redress for any mercantile offences which were punishable under the 256th section of the Bankrupt Law Consolidation Act of 1849. My experience has taught me that the creditors will not permit the assets of an estate to be wasted in prosecuting a bankrupt for any of those offences, it being very uncertain as to whether a jury will convict."—Q. "Under the Act of 1849 the certificate was not unfrequently wholly refused?"—A. "Wholly."—Q. "You would not restore that system, would you?"—A. "No; I think there ought to be a limit."—Q. "You think that the Act of 1861 is, in that respect, an improvement?"—A. "There is still a power to refuse the order of discharge under the 159th section."—Q. "But it has not been exercised?"—A. "Yes it has. The commissioner may refuse the order of discharge. I may refer to the case of *Ex parte Barker*, 12 W. R. 321. The bankrupt was only 25 years of age, so that his prospects are ruined for life. You convert such a man as that into a dishonest man for the rest of his life."—Q. "You think that the power of giving an order of discharge after it had been previously withheld has worked well?"—A. "Yes, I believe, in two or three instances it has been of great benefit. I would give a limit of three or five years."—Q. "Not beyond five?"—A. "Under no circumstances. The 59th section ought to be extended—first, by giving the commissioners a discretion; and, secondly, by including in terms many of the provisions inserted in the repealed section."—Q. "Would you restore the B. a. certificate?"—A. "Most undoubtedly. There is one clause in particular omitted from the Act of 1861 which was very useful under the old law—namely, that with reference to fraudulent preference. That was a ground for withholding the order of discharge. Then with respect to the B. a. certificate, I should restore that, because no creditor can oppose a bankrupt without proving his debt, and by proving his debt he deprives himself of the power of availing himself of the absence of protection."

Mr. Commissioner Holroyd thus expresses his opinions upon this question:—"With reference to the statutory grounds for refusing or suspending an order of discharge, a more comprehensive head seems wanting than any of those enumerated in the 159th section of the Bankruptcy Act, 1861. I think nothing but a discretionary power can overtake frauds and delinquencies of every description."—Q. "Is it not the case that the clause with reference to one year's imprisonment is almost a dead letter? have you ever exercised the power?"—A. "In a few instances, I am informed that there is some difficulty in arresting a debtor under such an order. I think it should be made more clear that the sentence of imprisonment may be in addition to the refusal or suspension of the order of discharge. I think arrest on final process ought to be limited to cases where the debtor is suspected of an intention to abscond, and in that case an order of a judge or court should be required for the purpose; and this relaxation of arrest upon final process might be coupled with an extension of the sections of the Bank-

ruptcy Act, 1861, relating to proceedings on a judgment debtor summons (ss. 76 to 85) to cases where the debt exceeds £20 exclusive of costs."

Mr. F. J. Reed examined—Q. "Now, with reference to orders of discharge, do you think that the grounds of suspension in the Act are sufficient?"—A. "It should be very much widened; you have no punishment for fraudulent preference; you have practically no punishment for a man obtaining goods or property from his creditors when he knows he cannot pay, for the costs of an indictment put it quite out of the question; and then a man whose goods have been so obtained is obliged to prove his debt before he can complain, and the very fact of proving prevents him from being able to take the debtor. The commissioners have been held entitled to suspend the bankrupt's certificate merely on the special ground that is mentioned."—Q. "Would you give the commissioner discretionary power of looking through the whole tenour of the bankrupt's conduct?"—A. "I think so. You are only giving judges in bankruptcy what magistrates have, in some cases, a discretionary power of imprisonment."

Mr. S. Morley examined by Mr. Murray—Q. "Do you think that it would be advisable to allow creditors to have some discretion and some voice in the discharge?"—A. "Yes; I have always regretted that we have been entirely denuded. My observation for thirty years has been that creditors are not disposed to take, in the main, a harsh view."

Mr. J. Howell, member of the firm of Ellis, Howell, & Co., however would "leave the discharge in the discretion of the Court."

Mr. E. Grippe examined—Q. "Would you transfer to the county court judge the power of giving a discharge and the power of deciding as the commissioners in bankruptcy now decide?"—A. "I would in the first instance make that discharge a matter of course if the trustees and creditors were satisfied with the conduct of the bankrupt."

Mr. T. Ball thinks "that release should not be granted so easily as it is at present. I think that something like the Scotch plan might very advantageously be adopted—that is, to make it a matter of time."

Mr. J. R. Chidley, a solicitor of thirty years' experience in bankruptcy causes, suggests "That the last examination and order of discharge in every contested matter should be heard before three commissioners sitting together."—Q. "Then you would restore the old subdivision court?"—A. "Yes; it worked extremely well; it saved a great deal of expense, and much unnecessary appeal."

The suggestion from the Nottinghamshire and Midland Merchants, and Traders' Association on this point is, "That the Court has no power to refuse an order of discharge upon the ground that the bankrupt has been guilty of fraudulent preference, or for having committed a breach of trust."

We cannot but agree with the learned commissioner, that discretionary power to refuse the order of discharge wholly ought to remain. If a chief Judge be appointed, *quod dii dent*, this discretion might perhaps be confided to him alone, but till then it must continue vested in the commissioners; and we cannot but think that if the commissioners would exercise their discretion in this respect a little more freely, and wholly refuse the order of discharge in every case when fraudulent conduct or reckless trading was proved to their satisfaction, whether in cases in which a jury could be got to convict or not, it would prove of the greatest advantage to the commercial morality of the nation.

The petition of the Metropolitan and Provincial Law Association suggested that the jurisdiction with regard to orders of discharge, as well as any penal jurisdiction over fraudulent or reckless debtors, should be exercised by the chief judge alone, except as regards the smaller debtors.

The paper submitted to the committee by Mr. R. P.

Harding contained the following suggestion, "No bankrupt to be discharged for at least one year from date of adjudication; be subject to other penalties; in no case any discharge until five shillings in the pound had been paid."

COMMON LAW.

EVIDENCE—COMPETENCY OF WIFE IN VAGRANCY CASES.

Reeve, Appellant, v. Wood, Respondent, Q. B., 13 W.R. 154.

The common law rule precluding husbands and wives from giving testimony for or against each other in any criminal proceeding, was not interfered with either by the 14 & 15 Vict. c. 99, or the 16 & 17 Vict. c. 83. Both these statutes contained express provisos that nothing therein contained should render "any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband in any criminal proceeding." From a very early period, however, an exception was engrafted on this rule in those cases where the offence charged touched the person of the wife, and where, therefore, she must be cognizant of it, and very possibly might be the only person able to give evidence respecting it. (*Lord Audley's case*, Temp. Car. I., 3 State Trials, 112.) The reason of the exception was, doubtless, the necessity of the case. If a wife were held inadmissible as a witness to personal injuries which she has suffered at the hands of her husband, the greatest violence and cruelty might be inflicted upon her with impunity.

In the principal case a charge had been preferred against the respondent under the Vagrant Act (5 Geo. 4, c. 83), for refusing and neglecting to maintain his wife and family, and upon the hearing of the information before the magistrates, the attorney for the informant tendered the wife of the defendant as a witness against him. Her evidence was rejected, on the ground that the offence charged was not a personal wrong to the wife, and the decision of the magistrates has been upheld upon appeal to the Court of Queen's Bench. "The crime," said Mr. Justice Crompton, "is rather one against the parish to which the woman becomes chargeable, than against herself, nor does the case come within 'the rule of necessity,' for the offence may certainly be made out without her evidence."

It has hitherto been the practice at police courts and sessions to receive the wife's evidence in these vagrancy cases; Mr. West, indeed, informed the court that the West Riding Sessions were an exception, but Mr. Justice Mellor, who, when at the bar enjoyed a very extensive business, at the Midland Circuit Sessions, stated in the course of the argument in the principal case, that he had himself been in the habit of calling the wife of the defendant as a witness without any objection being raised. As, however, he concurred in the judgment of the Court, we may assume that he would now admit his own former practice to have been erroneous. In "Phillips on Evidence," again, 10th ed. vol. I, p. 82, we find the following remarks:—"In proceedings under the Vagrant Act against a husband for neglecting to support, or deserting his wife and family, it is believed to be the *universal practice*, as also at sessions in the case of an appeal to admit the wife as a witness. This is presumed to have arisen from the necessity of the case, for although instances frequently may and must arise where all the facts necessary to insure a conviction might be proved by other witnesses, yet it must often happen that some of the circumstances, such as the husband's ability to support his family, or the act of desertion, could be proved only by the wife." But even granting that the wife should happen to be the only available witness in any particular instance, she would still be excluded on the other ground that the crime of vagrancy is not a personal injury to herself. It might, indeed, very well turn out the very reverse. She might find herself able to get

on a great deal better without a vagabond husband than with him.

Although the judges of the Queen's Bench laid down that vagrancy is in no sense a wrong, touching the person of the wife, they at the same time expressed their concurrence with those cases, which establish that in order to render her evidence admissible, it is not essential that the injury should be accompanied with actual violence. To hold the contrary would be to narrow the principle so much as to render its application almost impossible. In many instances the injury may be most flagrant, yet not violent. Thus, in the case of abduction, the offence is more often committed by fraud than by force. Yet there the woman abducted is competent as a witness, although she have been subsequently married to the defendant (*R. v. Wakefield*, 2 Lew. C. C. 279; *R. v. Yore*, 1 Jebb & Symes, 563). The observation made in the same work on evidence, to which we have already referred, to the effect that the exception as to the admissibility of the wife is confined to cases of personal injuries effected by violence or coercion cannot, therefore, be sustained, nor do the authorities (*R. v. Locker*, 5 Esp. 107; *R. v. Serjeant*, Ry. & M. 354) cited in support of it, warrant the proposition of the learned text-writers.

The practical consequence of the decision in the principal case will be to throw considerable difficulties in the way of parish authorities anxious to establish a charge of vagrancy. There has already been a case before the Lord Mayor,* where the summons was dismissed owing to the impossibility of proving the offence without the evidence of the defendant's wife. Mr. Justice Blackburn, in delivering his judgment, acknowledged that the present state of the law was open to objection, and we hope that the Legislature may apply themselves to its amendment. Sir Fitzroy Kelly has, we perceive, introduced a bill into the House of Commons for the purpose of amending the law of evidence, and, amongst other things, he proposes greatly to enlarge the limits within which a husband and wife can be witnesses for or against each other, and although this particular case is not mentioned in the bill, it would seem to be covered by the section relating to misdemeanors. Even supposing that this measure shall be found too comprehensive for success, a short Act enabling the wife to be examined in vagrancy cases would meet the present difficulty and protect parishes from a liability they ought not to be called on to bear.

CLERICAL SUBSCRIPTION COMMISSION.

This commission have presented their report, which has been laid before Parliament.

After the usual introductory recital, the commission proceeded to make the following

RECOMMENDATIONS :—

We have carefully weighed these various subscriptions, declarations, and oaths, and, after much investigation and discussion, we have agreed to the following recommendations :—

First, that the declarations, subscriptions, and oaths, to be made and taken by the clergy of the United Church of England and Ireland be the same in England and Ireland; and that the oath required by 28 Hen. 8, c. 15, and the declaration required by 3 W. & M., c. 2, to be taken and made by the clergy in Ireland be discontinued.

Second, that on every occasion on which a subscription or declaration shall be required to be made in England or Ireland, with reference to the Articles of Religion, or the Book of Common Prayer, the following form be used :—

"I, A. B., do solemnly make the following declaration :—
"I assent to the Thirty-nine Articles of Religion, and to the Book of Common Prayer, and of Ordaining of Bishops, Priests, and Deacons; I believe the doctrine of the United Church of England and Ireland, as therein set forth, to be agreeable to the Word of God; and in public prayer, and administration of the Sacraments, I will use the form in the said book prescribed, and none other, except so far as shall be ordered by lawful authority."

* 9 Sol. Jour. 189.

Third, that the oath of allegiance and supremacy be taken before, and not during the Ordination and Consecration Services.

Fourth, that the following declaration be substituted for the present oath against simony :—

"I, A. B., solemnly declare that I have not made by myself, or by any other person on my behalf, any payment, contract, or promise of any kind whatsoever, which, to the best of my knowledge, is simoniacal, touching or concerning the obtaining the preferment of—; nor will I, at any time hereafter, perform or satisfy, in whole or in part, any such kind of payment, contract, or promise, made by any other without my knowledge or consent."

Fifth, that the oath of canonical obedience to the bishop of the diocese, and the oath of due obedience to the archbishop taken by bishops on consecration, be retained.

Sixth, that the declaration required by the 1 & 2 Viet. c. 106, s. 81, as to the stipends of curates, be retained in England, and extended to Ireland.

Seventh, that the special provisions of the English and Irish Acts of Uniformity (13 & 14 Car. 2, c. 4, s. 19, and 17 & 18 Car. 2, c. 6, s. 13), with reference to the declarations to be made by lecturers, be repealed.

Then follow minute recommendations as to the time and manner of making the subscription and declaration, and of taking the oaths in various cases, and then the report concludes as follows :—

In addition to the above recommendations, we submit the following suggestions with regard to two subjects, which do not, perhaps, fall strictly within the limits of the inquiry with which we have been charged by your Majesty :—

1. We have recommended the substitution of a declaration for the present oath against simony; to this recommendation we desire to add an expression of our opinion that the law on the subject of simony urgently requires revision.

2. There is another class of oaths "required to be taken by the clergy of the United Church of England and Ireland," on admission to certain ecclesiastical dignities—namely, those taken, in virtue of cathedral statutes, by bishops, deans, archdeacons, and canons. We have considered this subject, and being of opinion that some doubt may be entertained whether the oaths in question fall within the scope of your Majesty's commission, we content ourselves with expressing our opinion that it is highly desirable they should be revised by competent authority.

These recommendations we now humbly offer to your Majesty. To carry them into effect some alterations must be made in the canons of the Church and some in the statutes of the realm. We trust that our proposals will be willingly accepted both by the Church and by the State.

COURTS.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner GOULBURN.)

Feb. 10.—*In re W. E. Goatly*.—Mr. Walter Ephraim Goatly was an attorney carrying on business at 5, Mitre-court, Fleet-street, and residing at Shooting-common, Bromley, Kent. This was an adjourned meeting for examination.

Mr. J. Burton appeared for the assignees.

This case was before the Court on the 20th January last,* when an order was made that the bankrupt should file cash and deficiency accounts as from the 1st January, 1862, together with a copy of the will or settlement under which the trustees of his wife claimed to withhold from the creditors the furniture in his house at Bromley.

Mr. Goatly now stated that his books and papers had been taken under a distress for rent, and that he was not prepared with the additional accounts required.

Mr. Commissioner GOULBURN made an order adjourning the further hearing *sine die*, with liberty to the bankrupt to come up again when he should be prepared, he paying the costs of and occasioned by the adjournment.

Mr. Burton.—The assignees intend to take your Honour's opinion as to the validity of the claim made to the furniture. We say that it forms part of the bankrupt's estate. We have given the messenger instructions to seize, but he declines to take any steps in the matter.

Mr. Commissioner GOULBURN.—He wants an indemnity I suppose.

Adjourned accordingly.

* 9 Sol. Jour. 166.

(Before Mr. Deputy-Commissioner WINSLOW.)

Feb. 8.—*In re John Leigh*.—This case, which has been frequently mentioned,* now came on by adjournment.

The opposition to the discharge was based upon two grounds; first, that the bankrupt had contracted debts without having any reasonable expectation of payment; and, secondly, that he had engaged in rash and hazardous speculations. In support of the first objection, Mr. Thomas Flight, of Bond-court, Walbrook, Mr. Mark Coles, of 21, Gresham-street, auctioneer and estate agent, and Mr. Harper, of the Mutual Loan Fund Association, were called and examined. They all deposed to the fact of loans being made to the bankrupt, for temporary purposes, of various amounts, from £600 and under.

The bankrupt's history of his embarrassments was as follows:—In 1840 I was appointed to a subordinate judgeship in Jamaica. I retained that office until 1846, when I was appointed stipendiary magistrate for Wolverhampton and part of the mining district of South Staffordshire. While in Staffordshire I became a shareholder in a Wolverhampton joint-stock bank, and upon the failure of that concern I first became involved; to that failure I can trace the commencement of my difficulties. In 1860, when things were a little righted, I returned to London. Acting upon unsound advice, and with the hope of redeeming my losses by the bank failure, I entered into speculative transactions on the Stock Exchange. These transactions were at first prosperous; they answered the purpose for which they were intended, and seemed likely to raise my fortunes, but, eventually, they ended in further losses. Having large speculative transactions in Mexican Stock at the time, and not knowing how they would go, I wanted to secure myself, in case of failure, by providing for any temporary loss. I had an account with Mr. Daunt, and I was advised by him, as well as by other persons, that if I could keep up the account, and be strong enough with money, I should not only reimburse myself any previous loss, but should realise a large profit. I do not profess to advise persons to carry on speculations beyond their means, but I will certainly say that I was advised the adventure would be a very profitable one; and if, instead of allowing a margin of two months, I had allowed a margin of five, I should have succeeded.

The case not being concluded at 4 o'clock, the further hearing was adjourned.

Feb. 14.—*In re J. R. Dobie*.—This bankrupt † now came up for examination and discharge.

Mr. Brough supported; Mr. Breden was for the assignees.

The accounts in this case show an aggregate indebtedness of £1,480, inclusive of £117 liabilities upon accommodation bills; the assets are returned at £128, comprising debtors good £86, and property given up £10, and property in the hands of creditors £32. The failure was attributable to losses by bad debts and insufficiency of income.

No opposition was offered by any creditor, and the desired order of discharge was granted.

—*In re George De Vias Wade*.—The bankrupt was an attorney, of Baldock, Herts.‡ This was the sitting for examination and discharge, but no accounts had been filed, and it was stated that the bankrupt had absconded. The liabilities are estimated at £30,000.

He was ordered to be proclaimed in the usual form.

(Before Mr. Registrar MURRAY.)

Feb. 10.—*In re E. Maniere*.—The bankrupt, Mr. Edward Maniere, was described as of 31, Bedford-row, attorney-at-law, solicitor, and scrivener. A meeting for proof of debts and for choice of assignees was now held.

Mr. Maniere applied to the Court upon his own petition. The debts are returned at £14,219, of which a sum of £6,000 is due to Mr. R. W. J. Blew, of 16, Warwick-street, Pall-mall East; £3,531 to Mr. C. Bunyard, of 8, Bucklersbury, City, or his endorsers; £643 to Mr. H. Radcliffe, of 1, Adam-street, Adelphi; and £664 to Mr. William Suffolk, of 18, Eglinton-villas, Old Ford, Bow. The bankrupt attributed his difficulties to "liabilities incurred for clients and others, which they had failed to meet, and pressure from creditors on account of such liabilities, with inability to realise securities held, and to collect accounts due to him." The assets are returned at £9,000, subject to realisation.

Several creditors attended for the purpose of proving their debts against the bankrupt's estate, and after a spirited contest for the choice, Mr. L. H. Braham, of 12, Furnival's-inn, solicitor, a creditor for £164, and Mr. James Attenborough, of 32, Strand, whose debt was £203, were appointed creditors' assignees; Mr. J. R. Chidley, of Old Jewry, being appointed solicitor to the estate.

MARLBOROUGH STREET POLICE COURT.

Feb. 13.—*Extraordinary Case*.—George Langham, a young man, was charged with stealing an I O U for £60, the property of Mr. John Fraser Walker, solicitor, of Litchfield-street. On the accused being placed at the bar, no prosecutor was in attendance, and he was therefore discharged.

Some time after Mr. Walker, accompanied by a solicitor named Grayson, appeared in court, when Mr. Knox told them that there being no prosecutor in attendance when the case, which was the last, was called on, he had discharged the accused, and ordered the I O U to be given up to Mr. Walker; but if the latter thought proper he could give Langham into custody again. Subsequently Mr. Edward Dillon Lewis came into court to complain that the accused was detained at Vine-street station, although no one had attended to charge him.

Thereupon Mr. Walker said—I could not attend this morning, having no attorney. The defendant is now in court. Here he is. (In a loud voice:) George Langham. (No answer.)

Mr. KNOX.—You may call spirits from the vasty deep.

Mr. Grayson.—Your brother chip—

Mr. KNOX (evidently much annoyed).—I decline to hear you any further, sir. (To the Usher:) Show that gentleman out of court.

After some further delay the accused was put at the bar, Mr. R. D. Lewis appearing for him, and Mr. Grayson for Mr. Walker.

After Mr. Walker had deposed to his account of the affair, Mr. Alexander Findlay (better known as Alec Keene), of the "Three Tuns," Moor-street, was sworn. He said—Mr. Walker came in about half-past eight. He was then sober, and asked for some gin and water. He then said he had lost his suit through a technical objection, and that the judge had no right to sit there, and only did so through an Act passed for the purpose, something like one passed for Lord Brougham's son-in-law. He then went on talking about the cause. I got up and asked him to be quiet. At ten minutes to twelve the defendant came in, and hearing his name, the prosecutor said—"Oh, you are the George Langham whose name I heard in court," and, taking out an I O U, said, "That will show I don't owe anything."

By Mr. Grayson.—I did not have anything to drink with the prosecutor.

Mr. Grayson.—I think the matter had better end here.

Mr. KNOX.—It is only a proper punishment to the prosecutor that the case should be heard out.

Mr. Findlay.—Mr. Walker took up a poker, saying he would smash the defendant's brains out. I said that would not do, and sent for the police.

Mr. KNOX.—I have never heard a more disgraceful case. I hope the prosecutor's conduct will be brought to the notice of the Incorporated Law Society, and that Mr. Lewis will bring an action against him for falsely imprisoning the accused. Let the accused leave the dock.

Mr. Walker and Mr. Grayson were about to address the magistrate, when

Mr. Knox said—Put the prosecutor out of the court at once (an order which was promptly obeyed by the officers of the court).

GENERAL CORRESPONDENCE.

OUR JURY SYSTEM.

Sir,—Your recent remarks on some of the abuses of the present jury system* very justly call attention to what is certainly one of the greatest legal hardships to which a business-man is at present liable. I have received a summons requiring me to serve as petty jurymen in the Court of Echequer at Guildhall, at the sittings commencing on the 13th instant, "and to attend from that date, day by day, until finally discharged." I shall have, consequently, to appear in court every morning at ten o'clock, and when

* 8 Sol. Jour. 548, 836, 9 Sol. Jour. 64, 237.
† 9 Sol. Jour., 124.

‡ 9 Sol. Jour. 166.

* 9 Sol. Jour. 279.

my name is not called, I must remain in a miserable pen dedicated to "jurors in waiting," who are generally shouldered from the meagre accommodation which a few wooden forms afford, by the greediest and most obtrusive of the nondescript hangers-on which a court of justice invariably attracts. I shall be liable to have my name called at any moment, so that I shall never be able to leave the court, or to be in my office at any time during business hours, for the space of several weeks, without running the risk of incurring a heavy fine for my absence. I am sure you will agree with me that this is a monstrous and unjust infliction upon a man engaged in business, and that the system under which I am about to suffer is a positive disgrace to our legal administration. Let me just suggest a means by which this might be very easily avoided. Instead of the summonses being issued, as at present, to the whole number of jurymen for the entire sittings, they might be divided into four or more divisions, when the days of attendance for each jurymen might be proportionately reduced, as well as definitely stated. I am convinced that by such a course there would always be a better attendance on the part of jurymen, who, under the present system, frequently get worn out or reckless after days of patient waiting, or find that their business affairs cannot longer endure their absence.

Feb. 1.

H. T. C.

DISCOVERY OF DOCUMENTS.

Sir,—I shall be obliged by space in your Journal for a few words as to *discovery of documents*. This is really a subject calling for some attention by our law reformers. No doubt the present remedy by summons was a step in the right direction; still, however, it is inadequate—at least frequently so—to the requirements of justice. Of this, I have seen many cases in my experience, and I daresay your readers can supply many in their experience. My present object is to moot this question in the hope that the Lord Chancellor will kindly look to it.

A plaintiff has a double remedy both by his bill and by a summons. Any man's affairs and accounts may, it seems, be got at if a bill is filed. The whole bill may be a tissue of falsehood, but no inquiry is made as to this. It is not going too far to say that the present state of this branch of the law is a disgrace to our country. What barrister can safely advise on many questions as to a discovery of documents? The advantages are all on the side of a plaintiff, and this frequently leads to much iniquity on the part of a defendant. What I suggest is, that a plaintiff should in all cases be required to verify his bill by an affidavit. This, at least, would raise a *prima facie* case in support of his right, and be a check to the present system. In some cases this is abominable.

Then, sir, as to a defendant's right of discovery. It is no doubt reasonable, as a general rule, that he should first put in his answer; still, in some cases, this rule works hardly, since a discovery may be essential to his defence, as is well known. Why not put both parties to a suit on an equal footing in this respect? I respectfully beg attention to this suggestion. In the case of a plaintiff residing abroad, a defendant has substantially no remedy. It is true that the Court will sometimes *stay proceedings*, but this is a doubtful and a circuitous and an expensive remedy. Let me say that I could refer to cases in which orders for a discovery of documents are treated with the utmost contempt. What I suggest is, that service in such cases on the defendant's solicitor should be good service, as a matter of course. A general order, staying proceedings till compliance, would not only protect a defendant, but ensure respect to the Court. The difficulties in getting and drawing up these orders is notorious; but I merely allude to this slightly. In a recent case within my knowledge, what with obstacles between the judges' chambers and the registrar's office, the application was given up. Why cannot all chamber orders be drawn up at chambers? This would be a great facility to business, and a great saving of time and expense. What is wanted in chancery is, the simplicity of the judges' chambers at common law.

J. CULVERHOUSE.

Feb. 9.

LECTURES TO ARTICLED CLERKS.

Sir,—I take the liberty of again trespassing upon your valuable space in order to inform those of your readers who may be articled clerks, that the memorial to the council of the Incorporated Law Society, on the subject of Law Classes,

together with the correspondence, &c., were left with the Secretary last week.

I had hoped to have been allowed to present the memorial in person, but, in reply to my application to do so, the council, through their secretary, informed me that on receipt of the memorial they would give it their "*best consideration*," and, if necessary, would be happy to avail themselves of a personal interview with me; and, from what I have heard, I think it is probable that, by next Michaelmas Term, we may find some improvement of the present, almost universally admitted to be defective, means for the legal education of articled clerks effected.

I may be permitted to add that the Law Classes so recently established at King's College show that the authorities there are of the same opinion as the memorialists and those who have supported them; but, possibly, it might have been more satisfactory to the profession if these classes had first been instituted under the management of the Incorporated Law Society.

To all those kind friends and members of the profession who have so courteously supported the object the memorial has in view, including yourself, Mr. Editor, I beg to offer my most sincere and cordial thanks, and particularly to Mr. Harrison, law-stationer, 116, Chancery-lane, who so readily allowed the memorial to remain on his premises, and has so liberally rendered his services to complete it without making any charge for the same.

78, Dean-street, Soho, W., Feb. 14. W. J. FRASER.

AUTHORISED REPORTS.

Sir,—On Friday, January 27th, I again heard that which I have not seen noticed by the reporters. Mr. Karslake was making an *ex parte* application to the Lord Chancellor, and proposed to cite a case which appeared in one of the weekly legal journals, informing his Lordship, at the same time, that Vice-Chancellor Stuart had stated his resolve not to notice decisions reported in other than the authorised reports. His Lordship said he was of opinion that the cases noted in the weekly journals were admirably reported by members of the bar, who were painstaking in their labours, and he was convinced it would be a great loss to the profession and the public if such publications were to cease.

COURT MOUSE.

CONVEYANCING.

Sir,—I shall feel obliged by a subscriber answering the following *query*, and referring me to a case.

Devise, in 1829, to A. for life, and to her issue, if lawfully begotten. For want of issue, to B. and her issue for ever; subject to the payment of several sums of money to different legatees.

A. died without issue. B. is in possession of the property, has children, and has paid the legacies. What estate has B? An answer in the next number will oblige,

A SOLICITOR.

MR. HOPLEY'S CASE.

Sir,—While thanking you for your observations on my unfortunate case, I venture a word or two upon one paragraph of your critique.* You say "so far as the speech deals in assertion, and such is largely the case, it was, of course, impossible for the jury, and would be improper for us, to attach any weight to it; we are, therefore, unable to form any opinion whether the powerful—we had almost said irresistible—physiological argument which constitutes the main ground of the defence, is founded on truth or not."

In a matter of such grave moment, it would unquestionably be very wrong for you, or for any one, to take a man's simple and unattested word. My poverty hindering me from employing counsel or summoning witnesses, I could do little more in the Divorce Court than assert and endeavour to prove my assertions from my wife's letters. So soon, however, as the pamphlet was published, copies were sent to Dr. Hall, of Eastbourne, Mr. Roberts, of Eastbourne, Dr. Moon, of Brighton, and Mr. Prince, of Uckfield, with letters, drawing their attention to the passages where their names are mentioned, thus inviting them to deny (if in their power) any of my assertions. It is scarcely necessary to add that these gentlemen have denied *nothing*. Further, I have in my possession Mr. Roberts's bill for attendance on my wife at her second confinement, and Dr. Hall's bill for attendance

on my wife at her first confinement. It will be remembered that it was alleged in court, "Mrs. Hopley, in her first confinement, had neither doctor nor nurse; Mr. Hopley said that *gipsies* could be confined under hedges, and *she* could be the same." It is true that matters went (as stated in the pamphlet) so well with her that all was over before these gentlemen had time to arrive, but this merely tends to make "the powerful physiological argument" still more powerful. Never, of course, imagining that such extraordinary charges were about to be made against me, I was not prepared with the medical bills in court.

Feb. 15.

THOMAS HOPLEY.

APPOINTMENT.

LEWIS CHARLES INNES, Esq., of the Madras Civil Service, to be a judge of the High Court of Judicature at Madras.

PARLIAMENT AND LEGISLATION.

HOUSE OF COMMONS.

Thursday, Feb. 9.

MONASTIC AND CONVENTUAL ESTABLISHMENTS.

MR. NEWDEGATE gave notice that he would, on Friday, the 3rd of March, move as an amendment, on going into a committee of supply, for the appointment of a committee to inquire into the existence, character, and increase of monastic and conventual establishments in this country.

DISTRESS FOR RENT IN IRELAND.

MR. MAGUIRE gave notice that he would, on an early day, move for leave to bring in a bill to abolish the power of distress for the recovery of rent in Ireland.

Monday, Feb. 13.

FELONY FORFEITURES

MR. C. FORSTER asked the Attorney-General whether, in pursuance of his engagement last session, he was prepared to introduce a bill, at an early period of the present session, to alter the law of forfeiture on conviction of felony.

THE ATTORNEY-GENERAL said that a bill on the subject was in preparation, but he could hardly say it was his intention to bring it in this session.

THE NEW COURTS OF LAW.

MR. WALTER asked the First Commissioner of Works whether he had any objection to lay on the table of the House a return showing the number of houses at present standing on the site proposed to be taken by the Government for the erection of the new courts of law, and also the amount of the population residing in those houses.

MR. COWPER said there would be no difficulty in furnishing a return specifying the number of houses on the site in question, but he could not at present state whether the information required with respect to the number of the population could be given. Whatever information could be obtained on the subject, he should be happy to lay on the table of the House.

FEES OF PARLIAMENTARY COUNSEL.

MR. D. GRIFFITH gave notice that on Thursday, the 23rd of February, he should move the following standing order:—"The fees to be received by the Parliamentary Bar practising before committees of this House, to be regulated by the same rules in that respect as prevail in the ordinary courts of law and equity."

THE COURTS OF JUSTICE, &c., BILL.

The Sheriffs of London and Middlesex appeared at the bar of the house, and presented two petitions from the corporation of London in favour of the bills before Parliament relative to the new courts of justice.

Tuesday, Feb. 14.

THE LAW OF EVIDENCE, &c.

SIR F. KELLY, in moving for leave to introduce a bill for the further amendment of the law of evidence and practice in certain courts of justice, said that the attempts which had been made in the way of comprehensive measures of law reform had not been successful; and, therefore, they must content themselves in bringing forward those measures which there was a hope of carrying through Parliament. Among those subjects which had recently forced themselves

upon public attention was that as to the admissibility of parties in a certain position giving evidence in courts of justice. The history of that question was somewhat remarkable. From the earliest times, upon the trial of any case, civil or criminal, everyone who was interested to the extent of a single shilling in the matter in issue, was disqualified as a witness, and scarcely a day passed without its being marked by a failure of justice on that account. Lord Denman's Act at length put an end to all disqualifications upon the ground of interest, but it was not until 1851 that parties to a suit—who were of all mankind the best to give evidence on account of their being acquainted with the facts—were admitted to give evidence. The Act of that year rendered parties admissible as witnesses, except in certain cases, and the operation of that Act had been most beneficial. One of those exceptions related to cases of adultery, and it was to that exception that he intended the bill to apply. The law of evidence in the Divorce Court worked a great anomaly, and a still greater injustice, for parties were admissible in some suits even where questions of adultery arose, while in others they were excluded not only where questions of adultery, but where questions of cruelty and of condonation arose, and for no reason except as regarded the form of the suit. In the case of a suit for a divorce by reason of adultery the parties were incompetent as witnesses, and if there was a suit for cruelty or desertion, or for any other cause of complaint by a wife against her husband, coupled with a complaint of adultery, the parties upon both sides were, until the law was partially amended, excluded from giving evidence, even upon collateral questions which might arise in the course of the suit. On the other hand, if a wife instituted a suit against her husband for cruelty or desertion, but without including adultery as a subject of complaint, or a suit for restitution of conjugal rights, or for nullity of marriage, and then the husband set up a case of adultery, the husband and wife might both give their evidence. By one of the clauses of this bill he proposed to render parties, in all cases of adultery, as well as in every other case which arose in the court, competent witnesses if they should think fit to tender themselves for examination; but he did not propose to make the law compulsory. That clause met with the approval of the learned judge who presided over the Divorce Court. In cases of declaration of legitimacy, and of nationality, which came before the same court, he had introduced a clause which would give all parties a right to a trial by a jury. He had also introduced another clause to enable all parties indicted for misdemeanors to become witnesses if they should think fit. He did not intend to violate the ancient principle of the law of not compelling parties to criminate themselves, and therefore this clause would not be compulsory on anybody. There were some other clauses, such as one which would enable counsel in criminal prosecutions to sum up the evidence in the same manner as in civil actions; and there was another clause which would enable a judge at the Central Criminal Court, and at the assizes, to order a special jury in certain criminal cases; but the details of these clauses they would be able to discuss at greater length when they got into committee. The hon. and learned gentleman concluded by moving in the terms above mentioned.

THE SOLICITOR-GENERAL said that her Majesty's Government would offer no opposition to the introduction of the bill. It would not be convenient, however, to enter into the particular provisions now.

After a few words from MR. HADFIELD and MR. SCULLY, leave was given to bring in the bill.

OUR RAILWAY SYSTEM.

In answer to MR. ROEBUCK and MR. SCULLY,—

THE CHANCELLOR OF THE EXCHEQUER said that it was the intention of the Government to appoint a commission to inquire into the economical questions connected with our railway system—that is, into the cost of conveyance by railways, and the charges generally made by railway companies to the public. It was not the intention to take any steps which could at all compromise or commit either the ministry or parliament to any legislation in a matter of such vast importance. The whole object of the proposed measure was to bring the facts and information bearing on the case into a form in which they might be thoroughly available for members of parliament as well as the public at large. Therefore, it was not the intention to advise the appointment of a commission to inquire into any subject of policy, but merely into the economical facts of the case. The only question

was whether the inquiry should start in the first instance from a royal commission, or from a committee of the House. It had been determined to do it by royal commission, and in a short time he hoped to be able to lay on the table the terms of the commission, wherein hon. members would find defined with accuracy and precision the peculiar duties to be performed. It was not the intention of government to give any notice of a bill during the present session with a view to the application of the Act of 1844, nor did they think it right to promote any inquiry with respect to questions of policy in connection with railways. What they wanted now to ascertain was the economical conditions under which railways were carried on. With respect to commencing experimentally with the Irish railways, he did not feel himself authorised to enter into what was only a branch of a larger question. He thought it would be premature to do so.

Mr. ROEBUCK would suggest that the area of the commission's duties should be so extended as to permit of inquiry into the circumstances which led to the creation of railways.

Mr. WALPOLE thought that an address should be moved in the first instance, in that house, which would give the right hon. gentleman the opportunity of explaining, modifying, or extending, if necessary, the functions of the commission.

EVIDENCE IN CRIMINAL CASES.

The bill, prepared and brought in by Mr. Scully, and Mr. McMahon, to amend the law of evidence in criminal cases, has been printed. It contains only two clauses. The first provides that the wife or husband (as the case may be) of any person, who in any criminal proceeding is charged with the commission of any indictable offence, or any offence punishable on summary conviction, shall be competent, but not compellable, to give evidence for or against himself or herself, or his or her wife or husband. Such witness is, however, subject to be cross-examined, and in that event is compellable to answer any question, although it may tend to criminate himself or herself, or his or her wife or husband. The second clause repeals so much of the former Act as may be inconsistent with the above provisions.

SCOTLAND.

THE BANKRUPTCY LAWS.

The following acknowledgment has been received from the Lord High Chancellor, in answer to the resolution passed at the last annual meeting of the Scottish Trade Protection Society held on Monday week:—

"1, Upper Hyde Park Gardens,
8th February, 1865.

"Sir,—I am directed by the Lord Chancellor to present his compliments to the president, directors, and members of the Scottish Trade Protection Society, and to thank them for the resolution which they have done him the honour to pass approving of his efforts to amend the bankruptcy laws.

—I have the honour to be, Sir, your obedient servant,
"AUGUSTUS B. ABRAHAM, Principal Secretary.
"P. MORISON, Esq., Secretary,
Scottish Trade Protection Society, Edinburgh."

IRELAND.

INSURANCE CASES.

The case of *Devitt v. The Albert Insurance Company*, which came before the Court in a motion on the pleadings, and which is listed for trial at the after sittings, has excited much comment, the plaintiff having refused an offer to compromise the case for a small sum under the full amount of his claim.

It appeared that the Albert had assumed the responsibility of the policy, which had been effected with another company. The age of the life was admitted on the policy, and the plaintiff having purchased it at a public auction paid the premiums up to the death last year. The amount insured was £500, the amount payable, deducting half premiums due, £380. Upon application by the holder of the policy, the company alleged that the age had been misstated by five years, and offered £250, which offer was afterwards increased to within £50 of the plaintiff's demand, but

any sum less than the whole was refused, and the action was brought. The case having come before the Court in an application to put these circumstances on the record, Chief Justice Monahan expressed his opinion that the claim ought to be discharged without putting the plaintiff to the expense of a trial.

In another insurance case a new trial has just been granted, two trials having been already had, and the case taken to the Exchequer Chamber (reported 9 Irish Jur., N. S. 62) on rulings made by the judge at the first trial. The second trial took place on the last Summer Circuit before the late Judge Ball, and the difficulty in the case was that the bill of exceptions tendered to the late learned judge could not now be sealed by his executor or by any other judge.

COURT OF EXCHEQUER.

Splentz v. Lefevre; Shanahan v. Lefevre.—The defendants, Sir John George Shaw Lefevre and others, are the trustees of the Promoter Life Assurance Company, whom the plaintiffs had sued as the holders of policies of £130 each. The actions were defended on the ground that there had been wilful misrepresentation as to the age of a lady named Rose Helen Meredith, which was stated to be fifty-four years, whereas she was fifty-nine.

It appeared that the proposal had been filled up by the agent at Tralee from information supplied by other insurers, and that he had adopted those statements. The main question raised was, whether the insurance agent bound his employers, the company, by representing to them an untrue state of facts. The actions were tried at the Cork Assizes, and verdicts were had for the plaintiffs. Exceptions were taken by the defendants on the grounds of the reception of illegal evidence and misdirection, but the learned judge died before he sealed the bill of exceptions.

Mr. Serjeant Sullivan (Messrs. Chatterton, Q.C., Jellett, Q.C., and Johnson with him) now applied, on the part of the defendants, either that the bill of exceptions should be settled or that a new trial should be granted.

Messrs. Barry, Q.C., Heron, Q.C., Exham, Q.C., Neligan, and O'Riordan appeared for the plaintiffs.

Mr. Serjeant Sullivan suggested that a special case should be stated in order to save the expense of a second trial, but Mr. Barry, Q.C., declined to agree to the suggestion.

Their Lordships granted an order for a new trial.

THE CIRCUIT JUDGES.

It has been arranged that Mr. Serjeant Armstrong should go as judge of assize on the Munster Circuit, the Chief Baron taking the Home. The arrangement became necessary, Mr. Justice O'Hagan having directed the prosecutions as Attorney-General, consequently not wishing to act as judge in such cases.

COURT OF QUEEN'S BENCH.

(Before Mr. Justice Fitzgerald, and a special Jury.)

PRIVILEGED COMMUNICATION—THE LORD CHANCELLOR.

O'Sullivan v. Walsh.—In the course of this case, a question was raised as to the privilege of the Lord Chancellor to withhold such communications as have passed between his Lordship and other persons respecting the conduct of magistrates. His Lordship occupied a seat on the bench.

The plaintiff and defendant are both in the commission of the peace for the county Roscommon. The action was for a libel addressed to the Lord Chancellor. In March, 1864, the defendant had a dispute with a tenant and distrained him; the tenant (whose name was Hanley) replevied, the plaintiff being his surety. Upon this the defendant wrote to the plaintiff the following note:—

"Dear Sir,—There is a secret in my possession about you which I have kept to myself for many years. It is backed by depositions. Let Hanley alone."

This the plaintiff forwarded to the Lord Chancellor, requesting him to require the defendant to produce the depositions referred to. The Chancellor having communicated with Mr. Walsh received from him a statement that in March, 1855, "the steward, Charles Brien, came to him (defendant), although he was in a very precarious state of health. He walked into the room without any support, and remained standing while he was speaking. He said that he thought himself extremely ill, and that he attributed his malady to internal injuries inflicted on him by O'Sullivan. N.B.—Charles Brien died the next day."

This statement was forwarded by the Chancellor to the

plaintiff. Subsequently, the Chancellor, through his secretary, demanded back the document, and it was given by the plaintiff under protest, he having previously laid it before his legal advisers, and the present action was brought.

The plaintiff having deposed to these circumstances, Mr. Whiteside, Q.C., for plaintiff, called on Mr. Perrin, late secretary to the Lord Chancellor, to produce the documents.

Mr. Perrin said he had received instructions from the Lord Chancellor not to produce any documents without his authority.

Plaintiff, in reply to further questions, said that a statement had been forwarded to him from the Lord Chancellor's officer, and that he had returned it, after making a copy.

Mr. Perrin was then examined, to prove that there was a correspondence between the Lord Chancellor and the parties.

The Lord Chancellor, being sworn, was asked, Did he decline to produce the statement forwarded to him by the defendant.

His Lordship said that the statement was in his custody, but he objected to produce it, on the grounds that the production of a statement sent to him by a magistrate, in answer to a complaint against him, was a document that ought not to be produced as regarded the public service. He should be obliged to abandon a very important part of his duty if he produced such a document.

Plaintiff's counsel argued that the letter which they designed as the libel ought to be produced, and stress was laid on the case of *Dickson v. Lord Willon*, where the letter written by the colonel of a regiment to the authorities was held not to be a privileged communication.

Serjeant Armstrong insisted that the authority cited had no application, for there the letter was produced, and its contents were what were held not to be privileged.

Mr. Justice Fitzgerald said the question was one not new to him, for he had to consider it on several occasions when Attorney-General. He was clearly of opinion, on grounds of public policy, that he could not make an order requiring the Lord Chancellor to produce the letter in question.

The plaintiff's counsel declined to be non-suited.

Mr. Justice Fitzgerald said he would then direct the jury to find upon one of the counts for the defendant.

Mr. Whiteside said that he would except to the direction, so as to have the case put into a train for decision in the Court above.

His Lordship then asked some questions of the Lord Chancellor, in order to have the facts intelligible upon which to ground the bill of exceptions, and the Chancellor stated that a lengthened intermediate correspondence had taken place on the subject of the statement made by the defendant.

The jury then, by the direction of the learned judge, found a verdict for the defendant.

Counsel for the plaintiff:—Messrs. Whiteside, Q.C., M.P., Dowse, Q.C., and Byrne:—for defendant, Mr. Serjt. Armstrong, Mr. Morris, Q.C., and Mr. Romney Foley.

In another case, in the Exchequer, the privilege of the Lord Lieutenant to withhold a report made by one of the inspectors of prisons, came into question: as nothing has yet been decided in that case, we defer a report.

ROLLS COURT—MINOR—INVALID MARRIAGE CEREMONY.

Feb. 13.—*In re Quinton, a Minor*.—The minor, a young Protestant lady, whose friends reside in the county of Fermanagh, was married about twelve months ago, by a Roman Catholic priest, to an attorney's clerk, named Peterson, in a private house in Enniskillen. The Master of the Rolls treated the ceremony as a contempt, and one of the priests who was supposed to have taken part in the proceeding was prosecuted at the Monaghan assizes, but was acquitted. Miss Quinton has been living with a female relative in Fermanagh, and, having lately attained her majority, counsel applied on her behalf that she should be discharged from the wardship of the Court, that a regular marriage between her and Peterson, who is now in Liverpool, should be confirmed, and that the remains of her fortune, which was originally about £1,000, but which has been reduced, is said, nearly one-half by law costs, should be settled to her use.

Mr. Exham, Q.C., now moved that Mr. Dane, solicitor, and brother of Miss Quinton, should be appointed trustees under the deed of settlement. The other relatives of Miss Quinton were so much opposed to her that she did not wish any of them to be her trustees.

His Honour granted the motion.

FOREIGN TRIBUNALS & JURISPRUDENCE.

FRANCE.

THE LAW OF LUNACY.

The woman who shot at the *curé*, M. Hanicle, in the church of St. Severin, will not be brought to trial. Certain authorities, nobody knows who, have decided that she is of unsound mind, and she will be sent to a lunatic asylum. The lunacy laws in France are extremely bad and supremely uncertain. There is never any public inquiry into the state of mind of an alleged lunatic, whether criminal or otherwise. Frightful jobs, whether in screening a criminal from justice, or putting an obnoxious person under lock and key, are therefore much easier and (presumably) more frequent in France than in England. When a prisoner's counsel sets up the defence of insanity, the jury have no means of placing it upon record whether they acquit upon that plea or upon the merits; and it is optional with certain functionaries, of whose proceedings the public know nothing, to treat the acquitted prisoner as a lunatic or not. Indiscriminate worshippers of the Code Napoleon would do well to reflect upon this, which is only one instance out of many of its defects.

TRADE MARKS.

The Tribunal of Correctional Police has just been engaged during three sittings in hearing a complaint made by Brother Nestor Joseph, as superior of the Abbey of Grâce-Dieu, near Besançon, against an ex-prior of the same abbey, named Stremler, who was charged with having infringed the rights of the monks by selling a compound of his making under the name of "Trappistine," a liqueur for the manufacture of which the Abbey of Grâce-Dieu has acquired considerable reputation. The plaintiff's counsel alleged that the receipt for the liqueur in question, and the name given to it, were the property of the abbey, and that the defendant had no right to use them. The counsel for the defence argued, on the contrary, that the liqueur in question had been invented by Stremler, while prior of the abbey, and that the jury of the exhibition at Nantes had rewarded him a medal for it. The Avocat-impérial supported the complaint, and proved that the medal in question had been granted to the abbey, and not to the prior personally, as the jury had made no mention of his name. The Tribunal accordingly decided that the "Trappistine" was the property of the abbey, and condemned Stremler to pay 200fr. fine, 1,000fr. damages to the plaintiff, and all costs.

THE MONTMORENCY TITLE.

The Civil Tribunal of the Seine has given judgment in the suit of the Montmorency family against Count de Talleyrand-Périgord, by declaring itself incompetent to try the case on its merits, seeing that the assumption of the title in question has been made in virtue of an Imperial decree, the legality or bearing of which the Tribunal had no jurisdiction to determine. It therefore left the parties to seek their remedy in another Court, and condemned the plaintiff's to pay the costs.

The Court of Cassation recently dismissed the appeal of M. Barthélemy, who, it will be remembered, was sentenced to eight days' imprisonment for allowing M. Garnier Pagès and his friends to hold an electoral meeting in his warehouse. The highest court lays down the doctrine distinctly that electoral meetings are not privileged, and cannot be held without government permission.

THE LAW OF LIBEL.

The Imperial Court of Paris has just heard an appeal from a sentence of the Tribunal of Correctional Police, by which M. Beaujout, the author of a novel entitled "Nuits de Paul Niquet," and M. Buel, the responsible editor of the *Omnibus*, a journal in which that novel was published, were condemned on the complaint of the heirs of Paul Niquet to pay a fine of 100fr., with 200fr. damages for libellous statements made in the said novel. It appears that, in the beginning of the present century, one Paul Niquet established a wineshop in the neighbourhood of the *Marché des Innocents*, which afterwards became a notorious night-house, frequented by all sorts of bad characters; but Niquet had retired from business long before that period, though the house continued to be known by his name. M. Beaujout, in his novel, made the establishment the rendezvous of all the robbers and assassins whose imaginary

adventures he relates, and Niquet's heirs, considering the narrative a libel on their ancestor, and reflecting dishonour on themselves, took legal proceedings with the result stated. Against that decision the defendants now appealed, and their counsel argued that his clients had had no intention of libelling the complainants, of whose very existence they were ignorant; that Niquet had sold his business in 1822, and that the events in the novel are described as occurring about 1840, when the house really bore the reputation attributed to it by the author; also that the defendants, as soon as complaints were made by the Niquets, at once disclaimed all intention of annoying them, and declared their conviction of the respectability of the family whose name unfortunately figured in the novel. The Court, taking this view of the case, quashed the judgment, and condemned the Niquets to pay all costs.

THE ELECTORAL PROSECUTION.

The Cour de Cassation has just given its decision on the appeal of "The Thirteen." It may be characterised by one word—it is simply preposterous; it sets at defiance, law, fact, and common sense. The case will not have been forgotten by our readers.* The defendants appealed to the Cour de Cassation, and on Saturday last a judgment was delivered by that Court, dismissing the appeal, and affirming the judgment of the courts below. This judgment amounts to this—that henceforth the opposition cannot have any election committees, unless the Government first gives its permission; and converts the law of 1834, which was a measure to prevent conspiracy, into an electioneering tool for the exclusive use of the Government. It also confirms the marvellous doctrine that thirteen persons can be prosecuted for forming an illegal association of more than twenty persons. The following is the text of the judgment:

"As to the plea in support of the appeal of the judgment below constituting a false application and a violation of Articles 291 and 292 of the Penal Code, and of Articles 1, 2, and 3 of the law of April 10, 1834, and likewise a violation of the fundamental principles of French constitutional law, inasmuch as said judgment, whilst admitting that the alleged association, whose existence it affirms, was an electoral committee, nevertheless set forth that the provisions of the law above quoted were applicable to it;

"Considering that the object of the law of 1834 was to extend the operations of the Articles of the Penal Code quoted above to all associations whatever, and that it appears from the discussion that no exception was made in favour of electoral associations;

"Considering that, as regards the absence of any nominal designation of the complementary associates,† it is not required by law that, in such cases, the judgment should specify those who may have been prosecuted, or that they should be known by name or personally designated;

"Considering, therefore, that the judgment below does not violate the law of April 21, 1810, and has only made a proper application of the law of 1834 in sentencing the appellant to a fine of 500 fr. for the offence of association;

"Considering, moreover, that the judgment is regular;

"The Court dismisses the appeal with costs."

This judgment is final. It gives a certain degree of probability, to a current report of an "Electoral Reform Bill," said to be in course of preparation, which contemplates the doing away with "general elections" altogether. The Corps Legislatif is to be elected for nine years, and every third year one-third of the members would go out, and have to be re-elected. The bitterest enemies of the Government cannot but hope that such a measure will be really carried into effect.

SOCIETIES AND INSTITUTIONS.

THE CONCENTRATION OF THE LAW COURTS.

A meeting of the Jurisprudence Department of the National Association for the Promotion of Social Science was held on Thursday evening last, at their rooms in the Adelphi; Mr. THOMAS WEBSTER, F.R.S., in the chair.

A report was read from the committee of the department in favour of the concentration, under one roof, of all the courts and offices of law in London. The report, after show-

ing what had already been done with reference to the project and the present state of the question, urged the necessity of the metropolitan and provincial law societies, and similar bodies, petitioning Parliament, and waiting upon their representatives to request them to support the bills.

Mr. SEYMOUR TEUTON hoped that the members of the legal profession and others would use their influence with their representatives in Parliament to support the Government bills.

Mr. ROBERT STUART trusted that the bringing together of all the courts of law would promote the fusion of law and equity.

Mr. E. W. FIELD dwelt on the fallacy attempted to be raised that no funds in Chancery existed available for the erection of new law courts. He was glad to see that the benchers of Lincoln's-inn were coming round in opinion as to the desirability of the Carey-street site. The site of the Thames Embankment, though tempting to the eye, would not be so convenient either to the members of the profession or to the suitors, and as the fees of the latter would provide the funds, there was no reason why the suitors should be dragged to the water side for ornament sake. He hoped that some solicitors, or gentlemen earnest in the object in view, would be appointed on the governing body.

Mr. F. HILL approved of the Carey-street site, and proposed that the report should be worded more emphatically in its favour.

Mr. HASTINGS said that the site had many technical advantages combined, which no other available site could possibly afford. A portion of the site being in the city of London would enable the citizens to settle their own litigation under the advantages of the new courts within their own jurisdiction. The feeling now was everywhere becoming unanimous in its favour.

The CHAIRMAN thought, for the purposes of utility, the proposed site was by far the best.

After some observations, in which Sir F. H. Goldsmid, Bart., M.P., Mr. W. S. Cookson, and Mr. Williams took part, the report was adopted.

NATIONAL ASSOCIATION FOR THE PROMOTION OF SOCIAL SCIENCE.

At a meeting of this society on Tuesday, the 31st ult., a paper "On the Economical Principles of a Reform of the Legislation and Administration for the Conveyance of Passengers and Goods on Railways," was read by Edwin Chadwick, C.B., president of the department.

The following sketch of its principal features may be interesting to our readers, especially in connection with the present power of the Government to assume the management of all the railways in the kingdom:—

"We are now approaching a period when it is provided that a power may be exercised of resuming the public rights and of asserting governmental duties in respect of a large proportion of our railways, by purchasing them under an Act obtained by Mr. Gladstone on the report of a committee of inquiry, in 1844, to commence in twenty-one years from the year then following. This renders it expedient that there should be an early examination of the subject.

"We have it then before us to consider how to prevent errors of legislation for the future as well as how to retrieve what we may of those which eminent railway authorities admit and declare to be the errors of the past. It may be alleged, as a general proposition with respect to the future, that railway communication is as yet only partially developed in Great Britain. Though the topic is not apparently one of direct economy, I may state that the further development of railway traffic in crowded urban districts is of sanitary importance to prevent and reduce the overcrowding of populations by spreading them over wider areas. The great expense of land in the old covered urban districts will frequently render new suburban sites necessary for new constructions, for which small branch railways, and in some places horse tramways will be required; in this way, also, much of the traffic in old suburban districts may be carried on as in Paris and other cities. The due development of the mineral produce of the country will also require new branch or spur lines, as well as greatly reduced charges on goods traffic, to meet the competition developed by the special facilities given on several of the continental lines. It will not be denied that agricultural traffic is also only partially developed, and an examination of the map will show how much horse tramway or steam railway appli-

* 8 Sol. Jour. 330.

† The fictitious persons added to make up twenty-one.—Ed. S. J.

ances are needed for wide agricultural districts. Such important means of relief and of manufacturing and agricultural development are now cramped by enormous and unnecessary legal expenses incurred by the opposition of the old companies, from the apprehension that such short lines may compete, as they often may, with their old short line traffic. I have, moreover, high engineering authority for stating that, in general, beside the existing trunk lines, new lines may be constructed at about one-third the expense of the old ones, and that such are the improvements of construction available for these new lines, that if they are confined to passenger traffic, and kept clear, as main lines ought to be, of goods traffic, they may be worked with more convenient and safe and pleasant carriages, with greater safety, at more than one-third greater speed, than on the old lines; that, for instance, the journey from London to Liverpool may be performed regularly in three hours and a-half instead of five hours and a-half, and to Edinburgh in seven hours instead of twelve hours, and that more safely and at greatly reduced fares.

"Captain Galton, of the Royal Engineers, who is of the highest authority on railway construction and administration, observes in his official report on the railways of the United States, that—

"It is much to be regretted that almost all the English railway companies have so entirely disregarded the comfort of second and third class passengers, although, as a general rule, second class, and sometimes even third class, passengers pay a higher fare than is required for the much superior accommodation of American railways."

And he describes the superior construction of the American railway cars, which are being imitated on the Continent, as being wider than the English carriages, better lighted and ventilated, and enabling passengers to move about and select their society; such carriages, moreover, having with the larger space less weight. The practice, he states, is universal in America of placing the train in the charge of a conductor, who, like the captain of a ship, has full control over its movements, exercises a kind of police over the passengers, and is the guardian of ladies and children travelling alone. This person could not, however, discharge his duties unless he had the power of moving from one part of the train to another, which he does through the passage between the seats, and he is at the call of anyone in case of necessity. Hence such insults and outrages as occur on the English railways are there unknown. With respect to speed, he speaks of sixty miles as a speed attained now on the Great Western; and as being attainable on well-constructed rails in England, even on the narrow gauge. On the whole, it will be found that the existing railways are under conditions of insecurity to the shareholders' property, as well as of inconvenience and danger to the public, and of comparative detriment to manufactures and commerce, and to the social progress of the country.

"At the outset of railway communication, I, with other public officers, objected to giving up to irresponsible private speculators the public highways and means of communication as sources of private enterprise and profit; and I urged that the Government, on behalf of the public, should determine upon the lines, and provide the capital for their construction, and put them up for competition, to construct, maintain, and work responsibly. Much of this course has been taken in Belgium, Wurtemberg, France, Switzerland, and other continental States.

"Now let us consider the position simply as it affects the shareholders. In England, the net receipts, less interest on preference shares and loans, are even now under 4 per cent. on the ordinary share capital, and the shareholders would have gained largely if they could have kept their money in Government securities. In Belgium, the net profits on the Government and private capital expended average nearly 5½ per cent.; in France more than 6½; in Prussia nearly 7½, with fuel and iron much dearer. But let us look at the results to the public. It may be stated that in England the average fares per 100 miles are, for the first class passengers, 15s. 10d.; the second class, 11s. 6d.; third class, 7s. 6d. In Belgium they are for the first class, 6s. 6d.; the second class, 5s. 6d.; for the third class, 3s. In France they are 13s. 6d., 10s., and 7s. respectively; and in the German States somewhat lower. But it is reported by Captain Galton, and generally admitted, that their third class is generally as good as our second class, and their second class as good as our first. Then as to security; it is proved by the returns that in France travel-

ling is seven times, in Belgium nine times, and in Prussia sixteen times less dangerous than in England. It is true, that on the Continent speeds are lower than with us; but there the people do not like high speeds, it is only with us that there is a due appreciation of the economic maxim, that time is money. Nor does the difference of speed materially affect the relative economy of the transit. Indeed, it is stated that the wear and tear on the slower trains, with frequent stoppages, is the greatest. On official inquiry into the causes of our railway accidents, more than nine out of ten have been pronounced to have arisen from causes under control, from want of discipline, from insufficient regulations, or from the misplaced parsimony of the directors or the superior officers; in other words, from inferior administration. Whatever we may be as regards the past means of communication in this country, in respect to those immediately available, we are slow, and dear, and not safe. The late Mr. Robert Stephenson, at a reception given to him in Canada, solemnly warned the Canadians to avoid the example of England, and to look to the examples of Belgium, of Switzerland, and of France, for their guidance.

"Much, however, of the continental legislation is at variance with the sound economical principle which in strictness, I submit, excludes charges, either as profits or a revenue, on intercommunication. The fact of a railway, private any more than public, yielding a return of profit by a toll, or even paying for the cost of construction or of working, by a toll, is as fallacious a test of its full value as would be a toll on a road or by-way on a private estate or on a farm. It is a frequent case that a road or a railway "pays" in the improved value of land or of houses, as also in other ways, although it utterly fails to pay working expenses by direct tolls or fares. I may cite as an illustration of the principle the case, not of a railway, but of Waterloo Bridge, within sight of this place. It has been a total loss to the original shareholders. But having had occasion to look for rating purposes at the improved rentals obtained subsequently to the construction of the bridge road, and of the streets branching from it, and of other improvements on the south side of the river traceable to the construction of the bridge, it was evident that it has paid to the district. This observation is *à fortiori* applicable to the branch roads and future constructions I have specified. Looking to the collateral as well as the direct advantages of the most free transport, it may be laid down as a general economical rule, especially applicable to new constructions, that all charges upon the means of transport should be reduced to the bare cost of the requisite service, to the exclusion of profit, or strictly, where practicable, to the exclusion of tolls; and that any taxes, local or general, on communication, are the first in economic and financial policy to be removed.

I do not, however, think it necessary, in proposing the principle of charging for service, to press it absolutely to the exclusion of all surplus profit for revenue. The actual cost of the service of carrying a letter by the post may be stated to be three-farthings, but I see no serious economical objection to giving the Government itself the benefit of the odd farthing or the even money. But the common railway administration, under erroneous legislation, goes beyond payments for services to systematic and pernicious exactions on necessities. I illustrate the distinction in principle by such examples as the following, which are familiar at our sea-ports. A belated traveller from London presents himself, say, to a group of Deal boatmen, to be put on board a vessel just out of hail and about to set sail. The boatmen see that unless "the fare" is put on board, he will lose his voyage and probably his passage money; and instances occur, where not one boat was to be had for less than five pounds or more to put the passenger on board,—to do that for which the payment of half an hour or an hour's work in a regulated service, the payment, in fact, of as many shillings, would be most liberal; whereas the payment enforced is an exaction on necessities. Charges on goods, not on account of any special care required, or risk in the way of insurance charge, but on account of their supposed value or the necessity of their conveyance; charges on passengers, not in respect to the amount or sort of service they require, but in reference to their social condition and supposed means of payment, partake of the pernicious principle of exactions on necessities. A complaint was, some time ago, publicly made on behalf of some of the larger railway companies that they were not liberally treated by the Post Office, and that they were called upon to perform the service of that department at rates of payment which afforded

them little or no remuneration. In answer, it was shown by the Post Office that the existing mail coaches, which do the work at what may be called a payment for services, carried the mails at an average expense of 2½d. per mile, whilst the railway charges, which might be designated exactions on necessities, averaged 10d. per mile. The maximum charge of stage coach conveyance was 10d. per mile; of the railways, 4s. 10d. per mile. Now the average cost of working a railway train may be taken at about 13d. per mile for a train carrying on an average about 70 tons, or indeed 1,000 passengers; the prime cost of goods transit averages, may be stated to be about 1s. per ton for a hundred miles. In the case of the public mails, the exaction on necessities for a use of the fraction, or some four hundredth part of the train, was from 60 to 260 per cent. more than the prime cost of carrying the whole load of the train. It was lately stated before a committee of the House of Lords, by the manager of the Midland Company, that they brought coal from Derbyshire and Nottinghamshire for a charge of 6s. per ton to London, but that a charge of 2s. a ton was made there for merely passing over the lines to Kensington, which had practically the effect of stopping its passage. When Captain Lawes was manager of the Leeds and Manchester railway, there was but a small quantity of fish brought into Manchester from the east coast. The directors, with the false economy and the common inveterate habit of vulgar traders, considering fish as a luxury for the few, would charge for its conveyance, not for the service of the conveyance, but on their estimate of the necessity of its conveyance and value as a luxury. With difficulty the captain got them to charge more nearly for the service of the conveyance, consequently at lower rates; and the effect was, that the transport of fish was increased from three and a-half tons to eighty tons per week, and whilst at the lower rates it became the food of the many, the railway returns were greatly improved.

(To be continued.)

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The following is a copy of the petition lately presented to the House of Commons by the Metropolitan and Provincial Law Association, on the subject of the Concentration of the Courts of Justice:—

To the honourable, &c., the humble, &c.,—

Showeth,—That your petitioners are an association consisting of nearly 800 solicitors practising in England and Wales, of whom about 600 carry on business in the provinces; and that their objects are to promote the better and more economical administration of the law, and to maintain the rights and increase the usefulness of the profession:

That your petitioners are strongly convinced of the very great benefits which would result to the whole country from a concentration of all the superior courts of law and equity, the Probate and Divorce Court, the Court of Bankruptcy, and the High Court of Admiralty, and the various offices belonging to the same, in one central locality:

That such concentration would materially diminish the expenses of litigants, and would prove an incalculable advantage to every suitor, as well as to the Bar and to attorneys and solicitors; and it would facilitate far more business being performed by the same number of persons than is practicable in the present dispersed situation and most inconvenient state of the courts and offices, and would avoid many postponements and delays:

That such concentration would also prove a relief to all non-litigant taxpayers by saving the time of the judges:

That your petitioners cordially concur in the conclusions and recommendations (both as to the site of the proposed palace of justice, and the source from which the necessary funds might be provided) submitted in July, 1860, in their report by the majority of the commissioners appointed by her Majesty to consider this subject:

That firmly entertaining these views, your petitioners anxiously anticipate the renewed introduction, this session, to your honourable House, of bills for carrying out such concentration on the site recommended by such commissioners, and usually known as the "Corney-street site."

That all the more important features bearing on the question of the courts and offices were thoroughly investigated upwards of a quarter of a century ago by two committees, consisting of most distinguished members of the then House of Commons, and the scheme of concentration has been sup-

ported by the evidence of numerous eminent lawyers of every shade of political opinion, from Lord Cottenham and Lord Langdale to the Earl of Devon (Courtenay, formerly Master), Sir Launcelot Shadwell, and Sir James Wigram:

That the feeling of all attorneys and solicitors, and of all the inns of court (except Lincoln's inn*) is entirely in favour of the scheme and site referred to, and even in Lincoln's-inn it is understood the opinion is divided.

That the much desired fusion of law and equity would be greatly assisted by the constant intercourse which such concentration would produce between the different bars, and what, perhaps, is equally important, greater facilities would be afforded for frequent communication between the judges of the different courts.

That it is highly desirable that the great benefits that the passing of Acts for carrying out the proposed scheme would confer on all classes of her Majesty's subjects, should not be delayed longer than the absolute necessities of the case require.

Your petitioners therefore humbly pray that bills to enable the Commissioners of her Majesty's Works to acquire "the Corney-street site" for the erection of courts of justice, and of the various offices belonging to the same, and to supply means towards defraying the expenses of providing such site, courts of justice, and offices, may, with all possible despatch, pass your honourable House and become law.

And your petitioners will ever pray, &c.

(Signed)

EDWARD F. BURTON, Chairman.

PHILIP RICKMAN, Secretary.

JURIDICAL SOCIETY.

Lord Stanley, M.P., in the chair.

A paper was read by Mr. Edward Webster, on the subject of "capital punishment in cases of murder," contending that penal servitude for life, irremissible except on the convict saving life, and pardonable only on the establishment of his innocence, should be substituted. He considered the question before the Royal commission, not exclusively one of police, but one also involving considerations of great social importance affecting civilization, and that the theological arguments had been abandoned at least by the House of Commons. As moral retributions, executions, he said, were valueless, and that even if the number and atrocity of murders remained the same, a secondary punishment would occasion much good by its certainty, and especially by avoiding the possibility of an innocent person dying on the scaffold. The crime of murder, he said, was one *sui generis*—presenting an uniform origin—though varying in species, and was of a nature which prevented the fear of the executioner. Most murders were impulsive, and nearly allied to insanity. He referred to other countries in which the capital penalty had been abrogated for several years and not re-established, and concluded by alleging that, under a secondary punishment, murder and its kindred offences would be less frequent, because the community would be more humane. The lecture appeared to give much satisfaction. Mr. W. M. Best, Mr. Worsley, Mr. Dudley Campbell, Mr. Macqueen, Q.C., Mr. Tallack (Secretary to the Ante Capital Punishment Association), addressed the meeting. The Chairman, alluding to the fact of his being on a Royal commission engaged in considering this question, abstained from expressing any opinion on the subject generally, beyond admitting the evils of public executions, and he then summed up the arguments of the speakers with his usual ability.

LAW STUDENTS' JOURNAL.

LAW STUDENTS' DEBATING SOCIETY.

At the meeting of this society on Tuesday, the 14th February inst., Mr. Kenrick in the chair, the question discussed was "Should the patent laws be repealed without prejudice to existing rights?"

Mr. Bradford opened the debate on the affirmative side, but the question was decided in the negative.

At the Court of Bankruptcy on Wednesday last, before the Hon. S. Bethell, Registrar, reference was made to the delay in the declaration of dividends under insolvent estates, through the neglect of solicitors to bring in their bills of costs for taxation. The learned Registrar said that creditors

* It appears from the proceedings in Parliament this week, that this exception may now be omitted.—Ed. S. J.

complained of the inconveniences caused by this omission, dividend meetings having to be postponed sometimes for months, and in some cases even years, through the non-delivery of solicitors' bills. He said that steps would be taken in order to remedy this evil; and in one matter, where the costs had not been made out, he directed an adjournment for a month, with a view to the taxation of the costs and a final division of the bankrupt's assets. It strikes us as a new ground of complaint against solicitors that they are too remiss in enforcing payment of their bills.

A LAW STUDENTS' DEBATING SOCIETY.—On Wednesday evening a meeting of article clerks to solicitors in Manchester was held under the presidency of Mr. G. P. Allen, solicitor, at the Court of Bankruptcy, for the purpose of forming a Law Students' Debating Society for article clerks in Manchester. It was unanimously resolved that the above-named society should be formed. After an inaugural address from the chairman, and a few remarks from some of the gentlemen present, the members of the newly-constituted society proceeded to elect its officers. Mr. Commissioner Jemmett was elected president, and Mr. Registrar Harris vice-president; the remainder of the officers are article clerks of this city. The society resolved to hold its meetings every alternate Wednesday evening, at seven o'clock, at the Court of Bankruptcy, and to confine its debates to legal and jurisprudential topics.

ESTATE EXCHANGE REPORT.

AT THE GUILDHALL HOTEL.

Feb. 10.—By Messrs. NORRIS & HARRIS.
Leasehold residence, being No. 3, Berkeley-square, held on lease for a term, whereof 21 years will be unexpired at Lady-day next, at a rent of £202 5s. per annum—Sold for £150.
Leasehold ground-rents, amounting to £43 15s. per annum, arising out of 6 tenements, situate in Edward's-place, Bryanston-square; term, 24 years unexpired—Sold for £310.
Feb. 14.—By Messrs. WINSANTLEY & HOSWORTH.
Leasehold shop and premises, being No. 111, Jernyn-street, Westminster; let on lease at £180 per annum; term, 67 years from 1833; ground-rent, £27 5s. per annum—Sold for £1,850.
Leasehold business premises, being No. 11, Jernyn-street aforesaid; let on lease at £165 per annum; term similar to above; ground-rent, £28 15s. per annum—Sold for £1,840.
Leasehold residence, being No. 110, Jernyn-street aforesaid; let on lease at £150 per annum; term similar to above; ground-rent, £29 3s. 3d. per annum—Sold for £1,360.
Leasehold house, being No. 1, Wells-street, Westminster; let at £80 per annum; term similar to above; ground-rent, £18 per annum—Sold for £630.
Leasehold house, being No. 2, Wells-street, Westminster; let on lease at £80 per annum; term similar to above; ground-rent, £18 per annum—Sold for £630.
Leasehold house, being No. 5, Wells-street aforesaid; let at £80 per annum; term similar to above; ground-rent, £15 0s. 6d. per annum—Sold for £650.
Leasehold house, being No. 6, Wells-street aforesaid; let at £80 per annum; term similar to above; ground-rent, £15 0s. 6d. per annum—Sold for £660.

AT GARRAWAY'S.

Feb. 7.—By Messrs. DEBENHAM & TEWSON.
Leasehold, 2 residences, being Nos. 1 and 2, Castle-villas, Shore-road, Hackney; term, 30 years from 1863; ground-rent, £10 per annum each—Sold for £1,480.
Freehold villa, being 2, Springfield-road, Colney Hatch—Sold for £480.
Absolute reversion to one-fourth of £1,050 Reduced 3 per Cent. Bank Annuities, receivable on the death of a lady aged 76 years—Sold for £125.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

BAYLEY—On Feb. 9, at Westbromwich, the wife of Charles H. Bayley, Esq., Solicitor, of a daughter.
BURY—On Feb. 14, at Lincoln's-inn, the wife of Edward Bury, Esq., Barrister-at-Law, of a son.
GIBSON—On Feb. 13, at Hexham, the wife of Richard Gibson, Esq., Solicitor, of a son.
LOADEN—On Feb. 11, at Bedford-place, Russell-square, the wife of George Loaden, Esq., Solicitor, of a son.

MARRIAGES.

GRANTHAM—WILSON—On Feb. 15, at the Parish Church, Brighton, William Grantham, Esq., Barrister-at-Law, South Norwood, to Emma, daughter of Richard Wilson, Esq., Brighton.
KAIN—PRICHARD—On Feb. 15, at Christchurch, Lancaster-gate, G. J. Kain, Esq., F.S.S., of 69, Chancery-lane, to Annie Catherine, youngest daughter of the late Richard Preston Prichard, of Sydenham, Kent, Esq., Justice of the Peace for that county.
MYATT—RELF—On Feb. 11, at St. Andrew's, Islington, William Myatt, Esq., Solicitor, of Basinghall-street, E.C., to Mary Phoebe, second daughter of Mr. William Relf, Highwood, Sussex.
ROMILLY—MARCHANT—On Feb. 9, at Trinity Church, Marylebone, William, eldest son of the Right Hon. Sir John Romilly, Master of the Rolls, to Emily Idoneas, eldest daughter of Lieutenant-General Sir Gaspard le Marchant.

DEATHS.

COODE—On Feb. 13, at St. Anstall, Edward Coode, Esq., Clerk of the Peace for the county of Cornwall, aged 72.

IRVING—On Feb. 12, at Grantham, John Irving, Esq., Solicitor.

JEFFREY—On Jan. 12, at Demora, Edward Macdonald, only surviving child of William J. Jeffrey, Esq., Stipendiary Magistrate, aged 5.

LOWNDES—On Feb. 9, at Southport, Lancashire, Matthew D. Lowndes, Esq., late of Liverpool, Solicitor, aged 69.

NASH—On Jan. 14, Mrs. M. B. Nash, widow of Rowland Nash, Esq., formerly Assistant Registrar and Solicitor of Bishop of Lincoln's Diocese, aged 77.

SMITH—On Feb. 12, A. H. Smith, Esq., Solicitor, Vestry Clerk of St. Bride's, Fleet-street, E.C.

UNCLAIMED STOCK IN THE BANK OF ENGLAND.

The amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

BUDDLE, JOHN, Chanton, Northumberland, servant. £150 11s. 4d. Consolidated £3 per Cent Annuities—Claimed by said J. Buddle.
CROSSLAND, THOMAS, Chelsea, Esq., deceased. £118 2s. 6d. New £3 per Cent. Annuities—Claimed by Henry Turnbull, and Mary Ward, widow, the administrators.
KAY, REV. WILLIAM, Bishop's College, Calcutta. £150 Consolidated £3 per Cent. Annuities—Claimed by said Rev. W. Kay.

LONDON GAZETTES.

Winding-up of Joint Stock Companies.

FRIDAY, Feb. 10, 1865.
Anglo-French Porcelain Company (Limited).—Master of the Rolls has fixed Thursday, Feb. 23 at 12, at his chambers, Rolls-yard, for the appointment of an official liquidator.
Scottish and Universal Finance Bank (Limited).—Creditors are required, on or before March 7, to send their names and addresses, and the particulars of their debts or claims to Samuel Lowell Price, Gresham-st; March 21 at 12 is appointed for hearing and adjudicating upon the debts and claims.
East Dyflide Lead and Copper Mining Company (Limited).—Creditors are required, on or before March 1, to send their names and addresses and the particulars of their debts or claims to Geo Augustus Cape, Adelaide-pl; March 6 at 12 is appointed for hearing and adjudicating upon the debts and claims.
Maresfield Gunpowder Company (Limited).—Petition for winding-up, presented Feb 6, to be heard before the Master of the Rolls, Feb 18.
Kentish Royal Coal Company (Limited).—Petition for winding-up, presented Feb 8, to be heard before the Master of the Rolls, Feb 18.
Poole & Johnson, New-sq, Lincoln's-inn, solicitors for the petitioner.
Palleg Anthracite Coal and Iron Company (Limited).—petition for winding-up, presented Feb 9, to be heard before the Master of the Rolls, Feb 18. Tucker, St Swithin's-lane, solicitor for the petitioner.

Creditors under Estates in Chancery.

Last Day of Proof.
FRIDAY, Feb. 10, 1865.
Hull, Thos, Leicester, Matstee. March 6. Davis & Chamberlin, V.C. Kindersley.
Lord, Chas Frowin, Clifton-villas, Maido-hill West, Paddington, Attorney-at-Law. March 7. Lord & Lord, M.R.
Ramsey, Jonathan, Stoke Damerel, Devenport, Devon, Esq. March 13. May & Ramsey, V.C. Stuart.
Richardson, Joseph, Queen's Head, Sherrard-st, Golden-sq, Licensed Victualler. March 1. Re Pook, M.R.
Walcot, John, Chaires, Worcester, Gent. March 7. Brookes & Walcot, M.R.
Todd, John, Leeds, Innkeeper. March 1. Todd & Todd, V.C. Kindersley.

TUESDAY, Feb. 14, 1865.
Beman, John Brooks, Kingham, Oxford, Farmer. March 8. Beman & Taylor, M.R.
Charles, Philip, Baron De L'Isle and Dudley, Penhurst, Kent. March 10. Poole & Sidney, V.C. Kindersley.
Hill, Geo, Rifle-tr, Bayswater, Esq. March 13. Meier & Hill, M.R.
Hill, Hy, Brompton-rd, Esq. Feb 28. Hill & Hill, V.C. Wood.
Silvester, Thos, West Bromwich, Stafford, Ironmaster. March 21. Steedman & Silvester, V.C. Stuart.
Unwin, Richd Jas, College-crescent, St John's-wood, Esq. March 11. Unwin & Eykyn, V.C. Kindersley.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.
FRIDAY, Feb. 10, 1865.
Cochrane, Mary Ann, Lpool, Widow. April 1. Avison & Bonlt, Lpool.
Fleet, Wm, Littleworth, Worcester, Farmer. March 7. Parker & Co, Worcester.
Green, Sarah, Southborough, Kent, Widow. April 3. Minet & Smith, New Broad-st.
Neild, Sarah, Kensington-park-gardens, Widow. April 3. Palmer, Mitre-court-chambers.
Prichard, Hy, Bristol, Merchant. March 13. Abbot & Leonard, and Brittan & Sons, Bristol.
Robson, John, Bristol, Gent. March 1. Brittan & Sons, Bristol.
Smith, Chas, Mortlake, Surrey, Gent. March 1. Kempson & Trollope, Abingdon-st, Westminster.
Symes, Job, Henstiridge, Somerset, Gent. July 31. Slade, Yeovil.

TUESDAY, Feb. 14, 1865.
Austin, Francis Fane, Sheffield, Bedford, Wine Merchant. May 31. Hooper, Biggleswade.
Bostock, Saml, Stoke-upon-Trent, Stafford, Gent. March 25. Ward & Co.
Clark, Elijah, East Mersea, Essex, Farmer. March 25. Smythies & Co, Colchester.
Clive, Thos Zephaniah, Birm, Malleable Ironfounder. March 31. Hodgson & Son, Birm.
Diggles, Richd, Habeshthorp, Nottingham, Farmer. April 6. Marshall & Son, East Retford.

Cowell, Mary, Hulme, Manch, Spinster. March 10. Nuttall, Manch.
Duck, John Nehemiah, Bristol, Gent. March 31. Fry & Ocker, Bristol.
Hulse, John, Clapham-common, Esq. March 20. Tatham & Proctor,
Lincoln's-inn-fields.
Hurst, Richd, Greenhill's-rents, St John-st, File Manufacturer. April
13. Hopwood & Co, Chancery-lane.
Le Blanc, Sarah Jane, Wilton-pl, Belgrave-sq, Widow. March 31.
Nelson, Doctors-commons.
Leech, John, The Terrace, Kensington, Artist. March 25. Denton &
Hall, Gray's-inn.
Lurking, Hy, Henley-in-Arden, Warwick, Yeoman. April 1. Lane,
Stratford-upon-Avon.
Mallett, Wm, Bath, Licensed Victualler. March 25. Stone & Co,
Bath.
Perry, Hy, Crewkerne, Somerset, Builder and Auctioneer. June 24.
Lang, Somerset.
Smith, Thos, Saffron Walden, Essex, Farmer. March 10. Freeland,
Saffron Walden.
Tomlin, Alfred, Heckington, Lincoln, Farmer. April 6. Steel,
Sleaford.
Wayth, Daniel, Lowestoft, Suffolk, Yeoman. March 18. Seago.
Whishaw, Hy, South-sq, Gray's-inn, Solicitor. April 1.
White, Fredk, North-st, Sloane-st, Brewer. June 24. Hilleary, Fen-
church-bldgs.

Assignments for Benefit of Creditors.

FRIDAY, Feb. 10, 1865.

Gale, Eliz, Ely. Jan 2. Hall, Ely.

Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, Feb. 10, 1865.

Adams, Frank, St James's-st, Hammersmith, Lighterman. Feb 7.
Comp. Reg Feb 9.
Atkinson, Robt, Dewsbury, York, Sergt of Police. Feb 3. Comp.
Reg Feb 9.
Bell, Ann, & Richd Bell, Toddington, Bedford, Grocers. Jan 12. Comp.
Reg Feb 8.
Bruce, John Alex, Lpool, Mast and Block Maker. Jan 27. Conv.
Reg Feb 9.
Barnes, Richd, Accrington, Lancaster, Agent. Jan 12. Comp. Reg
Feb 8.
Basnett, Richd Job, Leighton, Salop, Farmer. Jan 12. Conv. Reg
Feb 7.
Cooke, Jas Farker, Lpool, Timber Merchant. Jan 31. Comp. Reg
Feb 7.
Chambers, John Choyce, Alvechurch, Worcester, Needle Manufac-
turer. Jan 12. Comp. Reg Feb 7.
Clemison, Peter Jas, Ramsgate, Grocer. Jan 14. Asst. Reg Feb 8.
Cridland, Thos, Watchet, Somerset, Butcher. Jan 17. Conv. Reg
Feb 8.
Clark, Thos Edwd, Wandsworth-rd, Upholsterer. Jan 13. Conv.
Reg Feb 8.
Drew, Ambrose, 'Ewings Harold, Hereford, Grocer. Jan 13. Conv.
Reg Feb 8.
Dodgson, Joseph, Manch. Jan 25. Comp. Reg Feb 8.
Daniel, Rev John, East Ardsley, York, Clerk. Feb 7. Conv. Reg
Feb 9.
Dalby, Saml, Bradford, Bookseller. Jan 12. Comp. Reg Feb 9.
Deane, Wm Hack, Reigate, Glass Dealer. Jan 26. Comp. Reg Feb 6.
Friedlander, John, Lpool, Drysalter. Feb 8. Comp. Reg Feb 10.
Greenwood, Thos, Kingston-upon-Hull, Cooper. Jan 19. Comp.
Reg Feb 9.
Gay, Wm, Newport, Monmouthshire, Boot Maker, Jan 13. Conv.
Reg Feb 9.
Hodgkinson, Isaiah, Sheffield, Bone Cutter. Jan 12. Conv. Reg
Feb 9.
Hutchings, John, Whitehaven, Ironmonger. Jan 21. Conv. Reg
Feb 9.
Harboard, Lancaster, Lpool, Timber Merchant. Jan 24. Conv. Reg
Feb 10.
Isaacson, Edwd Thos, Datchet, Bucks, Gent. Jan 31. Comp. Reg
Feb 10.
Jackson, Sidney Vaughan, Leinster-sq, Bayswater, Solicitor. Jan 11.
Conv. Reg Feb 7.
Keighley, Joseph, & Benj Keighley, Halifax, York, Engineers. Jan
12. Conv. Reg Feb 8.
King, Thos Harper, Gt St Helen's, Merchant. Feb 8. Inspectorship.
Reg Feb 9.
Lyndon, David, Lpool, Merchant. Jan 12. Conv. Reg Feb 9.
Mackay, Hugh, Lpool, Fish Dealer. Jan 12. Conv. Reg Feb 9.
Merryday, Hy, Malvern Link, Worcester, Wine Merchant. Jan 28.
Conv. Reg Feb 8.
Machin, John, Speenhamland, Berks, Carrier. Jan 14. Conv. Reg
Feb 10.
Mitchell, Jas, High Southwick, Durham, Grocer. Jan 17. Conv. Reg
Feb 9.
Messenger, Richd, Greenhithe, Kent, Grocer. Jan 11. Conv. Reg
Feb 7.
Metley, Willoughby, Brighton, Boarding-house Keeper. Jan 11.
Conv. Reg Feb 8.
Oldacres, Thos Holmes, Nile-ter, Peckham, Comm Agent. Jan 28.
Comp. Reg Jan 31.
Paupe, Bernard, & Jose Boffill, St Dunstan's-hill, Corn Merchants
Jan 24. Asst. Reg Feb 8.
Finder, Joseph, Nottingham, Box Manufacturer. Jan 13. Comp.
Reg Feb 8.
Rattenbury, Saml Oren, John-st, Bedford-row, Accountant. Jan 13.
Conv. Reg Feb 10.
Raw, Wm, Hertford, Publican. Jan 15. Comp. Reg Feb 9.
Robinson, Dan Alex, Bradford, York, Print Seller. Feb 1. Conv.
Reg Feb 9.
Robinson, Hy, Birm, Boot Manufacturer. Jan 12. Comp. Reg Feb 7.
Roe, Israel, Hadley, Hertford, Draper. Jan 18. Conv. Reg Feb 8.
Rudge, Joseph, & Wm Alex Campbell, Gt St Helen's, Merchants. Jan
30. Inspectorship. Reg Feb 8.
Seal, Chas Wm, Leighdelamere, Wilts, Farmer. Jan 23. Conv. Reg
Feb 8.

Sharp, Francis, Taunton, Somerset, Grocer. Jan 10. Comp. Reg
Feb 7.
Simpson, Isaac, East Leake, Notts, Wheelwright. Jan 21. Conv.
Reg Feb 9.
Sames, Wm Thos, Blackburn, Lancaster, Wine Merchant. Jan 20.
Conv. Reg Feb 10.
Whitaker, Wm, & Edwin Lambert, Leeds, Cloth Manufacturers.
Feb 2. Comp. Reg Feb 8.

TUESDAY, Feb. 14, 1865.

Abraham, John, Aldermanbury, Woollen Warehouseman. Jan 16.
Comp. Reg Feb 10.
Antwis, John, & John Tustin, Lpool, Tailors and Drapers. Jan 19.
Conv. Reg Feb 14.
Askam, John Farnell, Sheffield, Publican. Jan 16. Conv. Reg Feb 11.
Ball, Joseph, & Wm Atkinson, Southport, Lancaster, Builders. Jan
20. Comp. Reg Feb 11.
Berger, Frs, & Lee Berger, Mincing-lane, Metal Brokers. Jan 18.
Comp. Reg Feb 13.
Bowes, Edmd, Lpool, Broker. Feb 9. Conv. Reg Feb 10.
Burns, Geo, Edgware-rd, Printer. Jan 25. Comp. Reg Feb 10.
Carne, John, Vauxhall-walk, Lambeth, Timber Merchant. Jan 14.
Comp. Reg Feb 9.
DeFreco, Hy, Lpool, Dealer in Fancy Goods. Jan 19. Comp. Reg
Feb 13.
Collard, Albt John, Flete Farm, Kent, Farmer. Jan 30. Conv. Reg
Feb 10.
Elvins, John Warwick, Plymouth, Publisher. Jan 23. Conv. Reg
Feb 13.
Fetwell, John, Wolverton, Buckingham, Coachbuilder. Jan 18. Asst.
Reg Feb 11.
Fitton, Saml, Macclesfield, Chester, Miller. Jan 17. Comp. Reg
Feb 14.
Geo, Mark, Nottingham, Fishmonger. Jan 21. Conv. Reg Feb 10.
Granger, Pressey, Tottenham, Middx, out of business. Feb 7. Comp.
Reg Feb 11.
Hague, Jas, Shaw, Lancaster, Cotton Spinner. Jan 19. Conv. Reg
Feb 11.
Harrison, Issabella, Bath, Milliner. Jan 18. Conv. Reg Feb 11.
Horridge, Jas, Radcliffe, Lancaster, Cotton Manufacturer. Jan 17.
Comp. Reg Feb 11.
Howlet, Wm, Wellington, Salop. Jan 27. Conv. Reg Feb 13.
Husband, Eliz, St John's-wood, Widow. Feb 11. Comp. Reg
Feb 14.
Jefferys, Thos, Melksham, Wilts, Corn Merchant. Jan 13. Comp.
Reg Feb 10.
Kennard, John, Tottenham-et-rd, Ironmonger. Jan 14. Comp. Reg
Feb 10.
Knight, Geo, Sarre, Kent, Builder. Jan 16. Conv. Reg Feb 13.
Lowe, John, Cheltenham, Printer. Feb 7. Conv. Reg Feb 11.
Marsland, Wm, Chester, Jeweller. Feb 10. Comp. Reg Feb 13.
Maxwell, John, Constable, Lancaster, Cotton Spinner. Jan 24. Conv.
Reg Feb 14.
Mellor, Danl, Oldham, Lancaster, Cotton Spinner. Jan 19. Conv.
Reg Feb 11.
Mellor, Danl, Thos Collingwood, & Jonathan Radcliffe, Oldham, Lan-
caster, Cotton Spinners. Jan 23. Conv. Reg Feb 11.
Mitchell, Jas Hy, Northumberland-ter, Westbourne-grove, Comm
Agent. Feb 7. Comp. Reg Feb 10.
Nathan, Hy, Duke-st, Aldgate, General Dealer. Jan 30. Asst. Reg
Feb 11.
Oldacres, Thos Holmes, Peckham, Comm Agent. Jan 28. Comp.
Reg Feb 14.
Palmer, John, Lpool, & Bessie Cox, Grassendale, Widow, Tanners.
Jan 16. Conv. Reg Feb 11.
Reay, Richd, Newcastle-upon-Tyne, Millwright. Feb 4. Conv. Reg
Feb 13.
Roberts, Wm, Huddersfield, Mungo and Waste Dealer. Jan 27. Conv.
Reg Feb 14.
Simpson, John, Sheffield, Table Blade Manufacturer. Jan 18. Comp.
Reg Feb 13.
Smith, Geo, Manch, Cattle Dealer. Feb 2. Comp. Reg Feb 11.
Spraggs, Richd, Bidley-rd, Kingsland, out of business. Jan 31. Comp.
Reg Feb 11.
Tadloo, David, Diamond-row, Mile End, Butcher. Jan 16. Comp.
Reg Feb 11.
Terry, Edwin Howard, Sussex-pl, Camden-town, Carpenter. Jan 18.
Comp. Reg Feb 13.
Tonge, John Sidney, & Wm Smith, Hulme, Manch, Varnish Manufac-
turers. Jan 18. Conv. Reg Feb 13.
Wilson, Thos, Westbromwich, Coach Spring Manufacturer. Release.
Reg Feb 13.
Wood, Chas, Plymouth, Auctioneer. Jan 16. Inspectorship. Reg
Woodford, Adolphus Fredk Alex, Swillington, York, Clerk. Feb 4.
Comp. Reg Feb 11.
Woodrow, John Hockley, Bond-st, Tailor. Jan 12. Comp. Reg Feb 8.
Feb 11.
Wright, Robt, Lowestoft, Suffolk, Fishing Boat Owncr. Jan 13.
Asst. Reg Feb 10.
Youtlen, Wm John, Bristol, Auctioneer. Jan 24. Conv. Reg Feb 13.

Bankrupts.

FRIDAY, Feb. 10, 1865.

To Surrender in London.

Bohrer, Hy, East Greenwich, Kent, Musical Composer. Pet Feb 4.
March 1 at 12. Silvester, Newington.
Brede, Robt Jas, Springfield-rd, Colney Hatch, Architect. Pet Feb 2.
Feb 27 at 2. Grout, Scott's-yd.
Carpenter, Geo, William's-mews, Knightsbridge, Joiner's Foreman.
Pet Feb 8. Feb 22 at 1. Marshall, Hatton-garden.
Callen, Geo, Winchester, Southampton, Builder. Pet Feb 8. Feb 22
at 2. Harrison & Lewis, Old Jewry.
Clubb, John Wm, Tyler-st, Golden-sq, Fishmonger. Pet Feb 6. Feb
22 at 12. Koye, Gt Mariborough-st.
Croxford, Joseph Cooper, Chapel-row, Clerkenwell, Brazier. Pet Feb
7. Feb 22 at 1. Tonge, Southampton-bldgs.

Coles, Thos, Northampton, Saddler. Pet Feb 7. March 1 at 2. Kingdon & Williams, Lawrence-lane.
 Delachi, Gaspard, and Chas Vincent, Broad-st-bldgs, Merchants. Pet Feb 7. Feb 23 at 11. Mason & Co, Gresham-st.
 Dolbear, Thos, sen, Mount-st, Grosvenor-sq, Coach Builder. Pet Feb 6. Feb 23 at 11. Remore, Westminster-bridge-rd.
 Elstob, Eliz Ann, Barton-st, Euston-sq, Spinster. Pet Feb 2. Feb 21 at 12. Marshall, Hutton-garden.
 Georgiades, Demosthenes Demetrius, Mark-lane, Merchant's Clerk. Pet Feb 2. Feb 27 at 1. Thomas & Hollams, Mincing-lane.
 Hopkins, Denj, jun, Datchet, Bucks, Butcher. Pet Feb 6. Feb 23 at 11. Marshall, Hutton-garden.
 Howard, Geo, Providence-row, Finsbury, Bonnet Crown Manufacturer. Pet Feb 6. Feb 23 at 11. Cunnipie, Gt Carter-lane.
 Hutchison, John, & Jas Hutchison, Warwick-st, Regent-st, Scotch Fancy Hosiery. Pet Feb 4. Feb 21 at 1. Mason & Co, Gresham-st.
 Henwood, Wm Blake, Newman-st, Oxford-st, Tailor. Pet Feb 8. Feb 23 at 12. Allen, Southampton-bldgs, Chancery-lane.
 Jones, Wm, Cromwell-rd, Colney Hatch, Builder. Pet Feb 6. Feb 23 at 12. Howell, Chapside.
 Kightley, Wm, Ledbury-rd, Bayswater, Builder. Pet Feb 6. March 1 at 1. Smith, Whitechapel-st.
 Lvy, Alfred, High-st, Poplar, Tailor. Pet Feb 7. Feb 23 at 12. Solomon, Finsbury-pl.
 Lowen, Chas, Luton, Bedford, Bricklayer. Pet Feb 6. Feb 21 at 2. Treherne & Wolferstan, Aldermansbury.
 Marr, John Marshall, Gravesend, Kent, Gent. Pet Feb 6. Feb 22 at 12. Taylor & Co, Gt James-st.
 Morris, Thos, Euston-sq, Tailor. Pet Feb 7. March 1 at 1. King, Chapside.
 Matthews, Wm, Desborough-pl, Paddington, Builder. Pet Feb 8. March 8 at 12. Chidley, Old Jewry.
 Packard, Hy, Seole, Norfolk, Merchant. Pet Jan 26. Feb 22 at 1. Sheriff & Son, Fenchurch-st.
 Roberts, Robt, Kent-st, Borough, Grocer. Pet Feb 4. March 1 at 1. Wood & Ring, Basinghall-st.
 Stafford, Edwd Gordon, Alfred-pl, Bedford-sq, Patentee of a Machine for Printing in Colours. Pet Feb 8. Feb 22 at 2. Peverley, Coleman-st.
 Stevens, Hy, Leytonstone, Essex, Bookseller. Pet Feb 7. March 1 at 2. Houghton & Wragg, St Helen's-pl.
 Swell, Thos, Standground, Huntingdon, Miller. Pet Feb 9. Feb 23 at 1. Law, Stamford.
 Weatherley, Chas Hy, South Norwood, Clerk in the General Post Office. Pet Feb 7. Feb 22 at 1. Bennett, Mark-lane.
 Woodstock, Stephen, Leather-lane, Holborn, Boot Maker. Pet Feb 6. March 1 at 2. Bartley, Backlersbury.

To Surrender in the Country.

Barnes, Edwd Wm, Norwich, Baker. Pet Feb 8. Norwich, Feb 22 at 11. Emerson, Norwich.
 Bell, Giles Lucell, Rochester, Kent, Carpenter. Pet Feb 7. Rochester, Feb 24 at 2. Morgan, Maidstone.
 Brodie, Hy Hugh, Wolverhampton, Stafford, Iron Moulder. Pet Jan 30. Wolverhampton, March 2 at 12. Thurstans, Wolverhampton.
 Brown, John Walker, Salford, Lancashire, out of business. Pet Feb 7. March, Feb 22 at 11. Crowther, March.
 Barton, John, Newborough, Northampton, Blacksmith. Pet Feb 4. Peterborough, Feb 22 at 11. Taylor, Peterborough.
 Brown, Jas, Morley, nr Leeds, Mucker. Pet Feb 8. Leeds, Feb 20 at 11. Harle, Leeds.
 Barber, Jas, jun, Wortwell, Norfolk, Thatcher. Pet Feb 8. Harleston, Feb 24 at 12. Gudgeon, Jun, Stowmarket.
 Bolton, Wm, sen, Little Willey, Worcester, Farmer. Pet Feb 4. Worcester, Feb 21 at 11. Wilson, Worcester.
 Cadnam, Geo, Stanton upon Hine Heath, Salop, Farmer. Pet Jan 17. Wem, Feb 21 at 12. Davies, Shrewsbury.
 Cole, Hy, Boston, Lincoln, Grocer. Pet Feb 7. Boston, Feb 20 at 11. Bailes, Boston.
 Charlesworth, John, Ecclehill, York, Schoolmaster. Pet Feb 7. Bradford, Feb 28 at 9.45. Hill, Bradford.
 Clough, John, New Wortley, nr Leeds, out of business. Pet Feb 4. Leeds, Feb 21 at 12. Harle, Leeds.
 Cooper, Wm, Willenhall, Stafford, Grocer. Pet Jan 30. Wolverhampton, March 2 at 12. Stratton, Wolverhampton.
 Caldwell, Wm, Salford, Lancashire, no occupation. Pet Feb 6. Salford, Feb 25 at 9.30. Bent, March.
 Dew, Chas, Salisbury, Whitesmith. Pet Feb 4. Salisbury, Feb 20 at 10. Hül, Salisbury.
 Dinkin, Edwin, Southampton, Boot Maker. Pet Feb 7. Southampton, March 1 at 12. Mackey.
 Davis, Edwin Price, Birm, Accountant. Pet Feb 6. Birm, Feb 27 at 10. James & Griffin, Birm.
 Dnpl, Jas, Mount Bures, Essex, Thatcher. Pet Feb 7. Colchester, Feb 25 at 12. Jones, Colchester.
 Emery, Wm, Stafford, Stonemason. Pet Feb 4. Stafford, Feb 21 at 11. Hinds, Stafford.
 Ellis, Wm, Swansea, Glamorgan, Stevedore. Pet Feb 8. Swansea, Feb 20 at 2. Morris, Swansea.
 Friester, Morris, March, Manufacturing Clothier. Pet Feb 2. March, Feb 22 at 12. Leigh, March.
 Harrison, Ellis, Hyde, Chester, Beerhouse Keeper. Pet Feb 7. Hyde, Feb 22 at 12. Hilbert, Hyde.
 Hillier, Fredk, Southampton, Builder. Adj Feb 8. Southampton, March 1 at 12. Mackey.
 Hallam, Geo Brough, Birm, Hairdresser. Pet Feb 7. Birm, Feb 27 at 10. East, Birm.
 Hutchinson, Geo, Islebeck, Bagby, York, Brick Maker. Pet Feb 6. Thirsk, Feb 22 at 11. Mason, York.
 Hudson, John, Leeds, Shoemaker. Pet Feb 4. Leeds, Feb 24 at 12. Simpson, Leeds.
 Hawkin, Richd, sen, York, Baker. Pet Feb 7. Leeds, Feb 20 at 11. Young, York.
 Howes, Stephen, Northampton, Tobacconist. Pet Feb 7. Northampton, Feb 25 at 10. Shoesmith, Northampton.
 Hopton, Wm, New Wortley, Leeds, Plumber. Pet Feb 4. Leeds, Feb 24 at 12. Harle, Leeds.

Jennings, Saml, Wolverhampton, Stafford, Beerseller. Pet Feb 1. Wolverhampton, March 2 at 12. Ward, Wolverhampton.
 Lowe, David, Litchurch, Derby, Iron Roller. Pet Feb 6. Derby, Feb 23 at 12. Briggs, Derby.
 Lloyd, Geo, Pembroke Dock, Shipwright. Pet Feb 6. Pembroke, Feb 25 at 9.30. Farry, Pembroke Dock.
 Lancaster, John, & John Worrop, Prisoners for Debt, Lpool. Pet Feb 6. Feb 22 at 11. Martin, Lpool.
 Laxton, Jas, Pinchbeck, Baker. Pet Feb 6. Spalding, Feb 21 at 9. Percival, Spalding.
 Loveluck, John, jun, Llanwanno, Glimorganshire, out of business. Pet Feb 6. Cardiff, Feb 21 at 11. Davis, Cardiff.
 McCartin, Daniel, Berry Edge, Durham, Mason. Pet Feb 4. Shotley Bridge, Feb 22 at 3. Brignall, Durham.
 Matson, Francis, Sheephead, Leicester, Plumber. Pet Feb 7. Loughborough, Feb 22 at 11. Deane, Loughborough.
 Martin, Thos, Newport, Flatclayer. Pet Feb 7. Newport, Feb 21 at 2. Pain, Newport.
 Morgan, Wm, Swansea, Boot Maker. Pet Jan 30. Swansea, Feb 20 at 2. Morris, Swansea.
 Molesworth, Geo, Ogley Hay, Stafford, Painter. Pet Feb 6. Lichfield, Feb 24 at 10. Wilson, Lichfield.
 Newton, Enoch, Penrith, Cumberland, Dealer in China. Pet Feb 8. Penrith, Feb 27 at 11. Cant, Penrith.
 Nethersole, Francis, Swansea, no occupation. Pet Jan 30. Swansea, Feb 20 at 2. Morris, Swansea.
 Nelson, Hy, Oldham, Lancashire, Cotton Waste Dealer. Pet Jan 2. Oldham, Feb 23 at 12. Buckley, Oldham.
 Owens, Owen, Lpool, Builder. Pet Feb 6. Feb 23 at 12. Browne, Lpool.
 Paragreen, John Thos, Chipping Warden, Northampton, Blacksmith. Pet Feb 4. Banbury, Feb 23 at 10. Kilby, Banbury.
 Partington, John, Prisoner for Debt, Manch. Pet Jan 31. Manch, Feb 27 at 9.30. Dawson, Manch.
 Perilli, Paulo, Cardiff, Ship Chandler. Pet Feb 7. Cardiff, Feb 27 at 11. Baby, Cardiff.
 Pollard, Wm, jun, Worcester, Butcher. Pet Feb 7. Worcester, Feb 23 at 11. Wilson, Worcester.
 Rowlinson, Richd Barnes, Prisoner for Debt, London. Pet Feb 7. Feb 22 at 11. Atkinson & Bartlett, Lpool.
 Rose, Wm, Birm, Nail Maker. Pet Jan 18. Birm, Feb 27 at 10.
 Sutton, Ellis, & Saml Sutton, Radcliffe, Lancashire, Cotton Spinners. Pet Feb 2. March, Feb 22 at 12. Sale & Co, Manch.
 Sawkins, Jas, Quendon, Essex, Coachbuilder. Pet Feb 7. Saffron Walden, Feb 25 at 12. Thurgood, Saffron Walden.
 Scorch, Thos, Sheffield, Shoe Maker. Pet Feb 8. Sheffield, March 2 at 1. Micklethwaite, Sheffield.
 Smith, Wm Workman, Aston, Warwick, Straw Hat and Bonnet Manufacturer. Pet Feb 8. Birm, Feb 24 at 12. Smallbone, Coventry.
 Stroud, Wm, Little London, Chichester, Coach Builder. Pet Feb 1. Chichester, Feb 22 at 12. Lamb, Brighton.
 Townsend, Geo, Longton, Stafford, China Manufacturer. Pet Feb 9. Birm, Feb 24 at 12. James & Griffin, Birm.
 Torr, John Geo, Derby, Wire Worker. Pet Feb 3. Derby, Feb 23 at 12. Leech, Derby.
 Turner, Edwd, Egrement, Cumberland, Grocer. Pet Feb 6. Whitehaven, Feb 21 at 10. Patison, Whitehaven.
 Tudor, Hy, March, out of business. Pet Feb 7. Salford, March 4 at 9.30. Bent, March.
 Tupman, Jas, Goole, York, Publican. Pet Feb 8. Leeds, Feb 27 at 11. Bond & Barwick, Leeds.
 Williams, Benj Hughes, Chester, out of business. Pet Feb 7. Lpool, Feb 20 at 3. Grocott, Lpool.
 Williams, Humphrey, Llanuchandr, Denbigh, Farmer. Pet Feb 8. Denbigh, Feb 22 at 11. Louis, Ruthin.
 Wood, John, New Matton, York, Builder. Pet Feb 8. Leeds, Feb 27 at 11. Bond & Barwick, Leeds.
 Willacy, Jas, March, Grinder. Pet Feb 6. March Feb 27 at 9.30. Law, March.
 Wright, John, Loominster, Sussex, Publican. Pet Feb 6. Arundel, Feb 22 at 11. Lamb, Brighton.
 Woolgar, Thos, Clerton, Kent, Harness Maker. Pet Feb 8. Folkestone, Feb 25 at 3. Minter, Folkestone.
 Winn, Thos Eastburn, Otley, York, Lead Miner. Pet Feb 8. Leeds, Feb 20 at 11. Booth & Clough, Leeds.
 Wood, Thos Hughes, March, Comm Agent. Pet Feb 4. March, Feb 27 at 11. Boote & Roylance, March.
 Young, Wm, Barton-on-Humber, Lincoln, Chemist. Pet Feb 6. Barton-on-Humber, Feb 21 at 11. Mason, Barton.

TUESDAY, Feb. 14, 1865.

To Surrender in London.

Bacon, Robt Caesar, Duke-st, St James's, Lieut. Pet Feb 10. Feb 28 at 2. Keane, Lincoln's-inn-fields.
 Beckwith, Wm, Kingsland-rd, Carpenter. Pet Feb 9. Feb 28 at 12. Angell, Guildhall-yard.
 Blake, Wm, Pentonville-rd, Coach Builder. Pet Feb 9. Feb 27 at 11. Cooper, Lincoln's-inn-fields.
 Brooker, Hy, jun, Upper John-st, Hoxton Old Town, Oilman's Assistant. Pet Feb 9. Feb 27 at 11. Moss, Martin's-lane, Cannon-st.
 Clark, Thos, Albert-rd, York-rd, King's-cross, Carman. Pet Feb 9. March 8 at 12. Rickotts, Frederick-st, Gray's-inn-rd.
 Davis, Alf, Victoria-rd, Stockwell, Clerk. Pet Feb 9. March 6 at 11. Mackeson & Goldring, Lincoln's-inn-fields.
 De Rose, Thos Hy, Prisoner for Debt, London. Pet Feb 8 (for pau). Feb 23 at 1. Hill, Basinghall-st.
 Francey, Edmund, Montpelier-sq, Knightsbridge, Comm Traveller. Pet Feb 10. Feb 28 at 1. Searth, Air-st, Regent-st.
 Howard, Geo, Blackfriars-rd, Scale Board and Splint Cutter. Pet Feb 2. March 8 at 11. Gray, Gray's-inn.
 Joy, Hy, Robertsbridge, Sussex, Victualier. Pet Feb 10. Feb 28 at 1. Sole & Co, Aldermanbury.
 Gardiner, Robt Fredk Geo, High-st, Southwark, Machinist. Pet Feb 10. Feb 27 at 12. May & Norton, Adelaide-pl, London-bridge.
 Gentry, John, jun, Stratford, Essex, Watch Maker. Pet Feb 10. Feb 27 at 12. Hilleary & Co, Fenchurch-bldgs.

Hutton, Jesse, Bear-st, Barman. Pet Feb 11. Feb 27 at 1. Pook, Gresham-st.
 Lewis, Robt, Mincing-lane, Cotton Broker. Pet Feb 9. March 8 at 1.
 Wright & Bonner, London-st.
 Moss, Saml Moses, Leadenhall-st, Merchant. Pet Feb 10. March 6 at 1.
 Reed & Phelps, Gresham-st.
 Parr, Saml Manning, Norfolk-st, Hyde-park, out of business. Pet Feb 9. Feb 28 at 12. Bramwell, Scott's-yd, Cannon-st.
 Postan, Mary Anne Cley, Brighton, Boarding-house, Keeper. Pet Feb 9. March 8 at 12. Linklaters & Co, Walbrook.
 Sanders, Alf, Woolwich, Kent, Painter. Pet Feb 11. Feb 27 at 1.
 Buchanan, Basinghall-st.
 Saunders, Geo Edwd, Portland-st, Soho, Butcher. Pet Feb 9. Feb 27 at 11. Wyatt, King's-rd, Bedford-row.
 Smith, Wm Sidney, Palmerston-st, Battersea, out of business. Pet Feb 13. March 2 at 11. Harrison & Lewis, Old Jewry.
 Southgate, Saml Nelson, Colchester, Essex, Baker. Pet Feb 11. March 6 at 11. Harrison & Lewis, Old Jewry.
 Spratt, Thos, Prisoner for Debt, London. Pet Feb 7 (for pau). March 1 at 2. Atkinson, Quality-ct, Chancery-lane.
 Spriggs, Hy, Prisoner for Debt, London. Pet Feb 8 (for pau). March 8 at 12. Atkinson, Quality-ct, Chancery-lane.
 Stratton, John, Thomas's Hotel, Charles-st, St James's, out of business. Pet Feb 10. Feb 27 at 11. Miller & Smith, Chatham-pl.
 Thorneroff, Hy, Hamilton-rd, Lower Norwood, Butcher. Pet Feb 9. March 8 at 1. Westcott, Gray's-inn-sq.
 Tombs, John Honeywell, Viol, Spencer-rd, Stoke Newington, out of business. Pet Feb 9. Feb 28 at 12. Feverley, Coleman-st.

To Surrender in the County.

Adams, Arthur Ormsby, Birm, out of business. Pet Feb 9. Birm, Feb 27 at 10. Parry, Birm.
 Archer, Matthew John, High Wycombe, Bucks, Butcher. Pet Feb 9. High Wycombe, Feb 24 at 11. Marshall, High Wycombe.
 Burnes, Thos, Sheffield, Shopkeeper. Pet Feb 9. Sheffield, March 2 at 1. Binney & Son, Sheffield.
 Burney, Jas, Maryport, Cumberland, Master Mariner. Pet Feb 10. Cockermouth, Feb 27 at 3. Mondorff, Cockermouth.
 Dill, Robt, Sheffield, Draper. Pet Feb 3. Sheffield, March 3 at 12. Binney & Son, Sheffield.
 Evans, David, Prisoner for Debt, Lpool. Adj Dec 14. Lpool, Feb 22 at 11.
 Fell, Jas, Sidbury, Worcester, Shoemaker. Pet Feb 10. Worcester, Feb 28 at 11. Tree, Worcester.
 Fisher, John, Smthwick, Stafford, Furnace Builder. Pet Feb 9. Oldbury, Feb 22 at 10. Shakespear, Oldbury.
 Fowle, Thos Lloyd, Purton, Wilts, Mus. Doc. Pet Feb 10. Bristol, Feb 24 at 11. King & Plummer, Bristol.
 Freeman, Thos, & Geo Freeman, Olney, York, Joiners. Pet Feb 8. Olley, March 1 at 11. Siddall, Olley.
 Haines, Edwd Hunt, Alcester, Warwick, Hotel Keeper. Pet Dec 29. Birm, Feb 24 at 12. Allen, Birm, and Jones & Son, Alcester.
 Heath, Wm, Dartmouth, Boot and Shoe Dealer. Pet Feb 7. Totnes, Feb 23 at 12. Macdonald, Totnes.
 Holland, John Thos, Coventry, Coal Dealer. Pet Feb 13. Birm, March 3 at 12. James & Griffin, Birm.
 Hoppes, Jas Alex, & John Robt Caine, Lpool, Grocers. Pet Feb 6. Lpool, Feb 23 at 11. Browne, Lpool.
 James, Anthony, Winslow, Hereford, Cattle Salesman. Pet Feb 13. Birm, March 3 at 12. Fitter, Birm.
 Kirkham, Thos, & Jas Martin Leeming, Manch, Spinners. Pet Feb 9. Manch, Feb 28 at 12. Leeming, Manch.
 Lewis, Wm, Ross, Hereford, Coach Builder. Pet Feb 9. Ross, March 2 at 12. Minett, Ross.
 Littlejohns, John, Prisoner for Debt, Devon. Adj Feb 10. Exeter, March 7 at 11.
 Pitt, John Edwd, Fresham, Worcester, Veterinary Surgeon. Pet Feb 10. Birm, March 8 at 12. Smith, Birm.
 Powner, Thos, Stoke-upon-Trent, Stafford, Butcher. Pet Feb 6. Stoke-upon-Trent, Feb 23 at 11. Stevenson, Stoke-upon-Trent.
 Preston, Alf, Northampton, Beerseller. Pet Feb 11. Northampton, March 4 at 10. Shield & White, Northampton.
 Purnell, Stephen, Upton St Leonards, Gloucester, Beerseller. Pet Feb 10. Gloucester, Feb 23 at 12. Jones, Gloucester.
 Roberts, John, Manch, Organ Builder. Pet Feb 10. Manch, Feb 27 at 9.30. Whitworth, Manch.
 Roberts, Robt, Dolgelly, Merioneth, Tailor. Pet Feb 10. Dolgelly, Feb 25 at 2. Jones, Dolgelly.
 Russell, Hy, Kidderminster, Plumber. Pet Feb 4 (for pau). Worcester, Feb 27 at 11. Wilson, Worcester.
 Scott, Jas, Luton, Bedford, Hat and Bonnet Block Maker. Pet Feb 8. Luton, Feb 27 at 4. Shepherd, Luton.
 Seabright, Saml, Aldershot, Hants, Carpenter. Pet Feb 11. Farnham, Feb 25 at 12. White, Guildford.
 Smart, Geo, Prisoner for Debt, Lancaster. Adj Jan 18. Manch, Feb 27 at 9.30. Gardner, Manch.
 Smith, Cornelius, Leicester, Tailor. Pet Feb 9. Leicester, March 4 at 10.30. Arnall, Leicester.
 Swaffield, John Fredk, Aldershot, Hants, Plumber. Pet Feb 11. Farnham, Feb 23 at 12. White, Guildford.
 Thompson, Andrew, London, Stafford, Herbalist. Pet Feb 8. Stoke-upon-Trent, Feb 23 at 11. E. & A. Tennant, Hanley.
 Tolson, Fredk John, Ossett, York, Railway Clerk. Pet Feb 10. Dewsbury, Feb 24 at 11. Ibersen, Dewsbury.
 Warington, Hy, Northampton, Whitesmith. Pet Feb 11. Northampton, March 4 at 10. Shield & White, Northampton.
 Whalley, John, & Edwd Whalley, Radcliffe Bridge, Lancaster, Manufacturers. Pet Feb 8. Manch, March 2 at 12. Boote, Manch.

BANKRUPTCIES ANNULLED.

FRIDAY, Feb. 10, 1865.

Erich, Theodor, Newgate-st, Foreign Glass Manufacturer. Feb 2.
 Tichborne, Sir Alfred Joseph Doughty, Tichborne-park, nr Alresford, Hants, Bart. Feb 6.
 Wright, Jas, jun, Stoke Newington, Tobacco Manufacturer. Feb 8.

TUESDAY, Feb. 14, 1865.

Tate, Francis, Axminster, Devon, Clerk in Holy Orders. Feb 7.

THE LONDON AND PROVINCIAL MORTGAGE BANK OF ENGLAND (LIMITED).

To be Incorporated under the Companies' Act, 1862, whereby the Liability of each Shareholder is Limited to the amount of his Share.

CAPITAL: £200,000 in 8,000 Shares of £25 each, with power to increase to One Million.

Deposit upon Application, 10s. per Share, £2 upon Allotment.

DIRECTORS.

Thomas Bendsyshe, Esq., Old square, Lincoln's-inn, W.C.
 Edmund J. Bridell, Esq., Chairman of the National Boiler Insurance Company, Cheapside, E.C.
 Robert S. Craig, Esq., Merchant, East India-avenue, Leadenhall-street, E.C.
 James A. Foot, Esq., 10, King's Bench-walk, Temple, E.C.
 F. Blackall Jervis, Esq., Jernyn-street, London; and Beech-hill, Woking, Surrey.
 J. McMaster, Esq., Director of the National Financial Company.
 F. W. Sedgwick, Esq., Hyde Vale, Blackheath, Kent, Director of the West Cork Railway Company.
 Sir William Smith, Bart., Eardestone Hall, Worcestershire, Director of the Venezuela Railway Company.
 Thomas G. Williams, Esq., Sevenoaks, Kent.

With power to add to their number.

BANKERS—The Imperial Bank, Lechbury, London, E.C., and 53, Parliament-street, London, S.W.

BROKER—J. G. Bone, Esq., 2, Cophthall-court, Throgmorton-street, E.C.

SOLICITORS—Messrs. Mercer & Mercer, Mincing-lane, E.C.

AUDITORS—Messrs. Prescott, Hawkins, & Co., Accountants, Strand, London, W.C.; A. Craig, Esq., Royal Exchange-buildings, London, E.C.

SECRETARY—T. N. Cathrall, Esq.

TEMPORARY OFFICES—196, Strand, London, W.C.

PROSPECTUS.

This Company is established to provide a want long felt, whereby Freehold and every description of land and property may be made easily negotiable, and greater facilities given to secure immediate advances on this class of securities.

The Credit Foncier, a company similar to the London and Provincial Mortgage Bank of England, at their last meeting, declared that their net profits for the six months ending August 27, after paying all expenses, amounted to £42,219 5s. 11d., or equal to 180 per cent. per annum on the amount of capital called up.

The great delay, difficulty, and heavy charges entailed in the present mode of obtaining an advance by the mortgage of property will by this Company be avoided, and a more simple and expeditious system afforded.

A Bank, with the possession of large resources, and having on its staff competent and able advisers in every capacity, will be in a position to give immediate attention to every proposal.

In addition to the ordinary business of advancing money on mortgage, this company will act as agents to investors and borrowers, and a register will be kept of all sums available for investment and sums wanted to be borrowed. A commission will be charged on each transaction, and from this source considerable profits will be realised.

The Bank will also act in the capacity of Financial Agents, advancing on the mortgage of county and borough rates, which are duly secured by Acts of Parliament or Royal Charter, for the purposes of erecting county asylums, workhouses, gaols, cemeteries, and other public buildings, in the various counties and towns of England.

The Capital of the Company being invested on security of unquestionable character, it is intended to issue mortgage debentures at fixed rates of interest, payable half-yearly, for long or short periods, at the discretion of the investors, who will thus have ample security; and the Directors have reason to rely upon receiving large resources in this form.

Important negotiations are pending with gentlemen of the highest commercial position, for the formation of influential connections in the North of England.

Should more Shares be applied for than are allotted, the surplus of the deposit, on application, will be applied towards the payment on the further deposit on the Shares allotted, and, in the event of no allotment being made, the deposit will be returned without deduction. The Directors reserve to themselves the power of changing the name of the Company, if thought desirable.

No application for Shares can be entertained unless the deposit-money upon the Shares applied for has been previously paid to the Bankers of the Company. Applicants from the country can remit the amount of deposit-money either by cheque or Post-office Order, made payable to the Bankers.

Prospectuses and Forms of Application for Shares may be obtained at the Offices of the Company, 196, Strand, London, W.C.; of J. G. Bone, Esq., Stockbroker, 2, Cophthall-court, Throgmorton-street, London, E.C.; of Messrs. Mercer & Mercer, Solicitors, 9, Mincing-lane, London, E.C.; and of the Bankers.

The Memorandum and Articles of Association may be inspected at the Offices of the Company.

FORM OF APPLICATION FOR SHARES.

To the Directors of THE LONDON AND PROVINCIAL MORTGAGE BANK OF ENGLAND (LIMITED).

Per Messrs. Prescott, Hawkins, & Co., Financial Agents, 196, Strand, London, W.C.

Gentlemen,—Having paid to your Bankers the sum of _____, being a deposit of 10s. per Share on _____ Shares in the above Company, I hereby request that you will allot me that number, and I agree to accept the same, or any less number you may allot me, and to become a Member of the Company; and I authorise you to place my name on the Register of Members for the Shares so allotted; and I agree to be bound by all the conditions and regulations contained in the Memorandum and Articles of Association of the Company. I further authorise you to forward by post, to my address as below, the certificate for any Shares which may be allotted to me.

Name in full.....
 Address.....
 Firm (if any).....
 Profession or Business.....
 Date.....

NOW READY, PRICE FIVE SHILLINGS,

THE

ELECTION MANUAL FOR ENGLAND AND WALES,

A PLAIN AND PRACTICAL GUIDE

FOR THE

USE OF RETURNING OFFICERS, ELECTORS, CANDIDATES, AND ELECTION AGENTS;

WITH THE

TEXT OF THE PRINCIPAL STATUTES,

(Now Unrepealed),

INCLUDING THE CORRUPT PRACTICES ACTS,

WITH

EXPLANATORY NOTES, FORMS, AND PRECEDENTS.

By CHARLES EDWARD LEWIS, SOLICITOR.

LONDON: BUTTERWORTHS, 7, FLEET STREET,

Law Publishers to the Queen's most excellent Majesty.

WANTED, by the **LIFE INVESTMENT, MORTGAGE, AND ASSURANCE COMPANY (Limited)**, DISTRICT SUPERINTENDENTS of AGENTS for several localities in England and Scotland. Middle-aged men preferred.—Apply, Head Office, 8, New Bridge-street, Blackfriars. **EDWIN YELLAND, Manager.**

KING'S COLLEGE, LONDON.—EVENING CLASSES in preparation for the Examinations of the Incorporated Law Society, by **JOHN CUTLER, Esq., Barrister-at-Law.**

1. For the Final Examination.

A Course of 14 Lectures, together with questions both viva voce and on paper, on Thursday evenings, at 7 o'clock, beginning February 16th, 1865.

2. For the Intermediate Examination.

A Course of 14 Lectures, together with questions both viva voce and on paper, on Monday evenings, at 7 o'clock, beginning February 13th, 1865.

Fee for either course, £1 11s. 6d. For further information apply to **J. W. Cunningham, Esq., King's College, London.**

R. W. JELF, D.D., Principal.

"London Gazette" (published by authority) and London and Country Advertisement Office, No. 119, Chancery-lane, Fleet-street.

HENRY GREEN (many years with the late George Reynell) Advertisement Agent, begs to direct the attention of the Legal Profession to the advantages of his long experience of upwards of twenty years, in the special insertion of all pro forma notices, &c., and hereby solicits their continued support.—N.B. One copy of advertisement only required, and the strictest care and promptitude assured.

TO BE SOLD.—AN ISLAND, near the Coast of Provence, containing 5,000 Acres, House, and Farms. Regular communications by Government Steamers.—Address, Mr. Desforges, Notary, 1, Rue d'Hauteville, Paris.

Periodical Sales of Absolute or Contingent Reversions to Funded or other Property, Annuities, Policies of Assurance, Life Interests, Railway, Dock, and other Shares, Bonds, Clerical Preferences, Rent Charges, and all other descriptions of present or prospective Property.

MR. FRANK LEWIS begs to give notice that his SALES for the present year will take place at the **GUILD-HALL COFFEEHOUSE**, Gresham-street, on the following days, viz.:—
 Friday, March 10, Friday, July 14, Friday, October 13,
 Friday, April 14, Friday, August 11, Friday, November 10,
 Friday, May 12, Friday, September 8, Friday, December 8,
 Friday, June 9.

Particulars of properties intended for sale are requested to be forwarded at least 14 days prior to either of the above dates, to the office of the auctioneer, 36, Coleman-street, E.C., where information as to value, &c., and printed cards of terms may be had.

BROOKS & SCHALLER (removed from Piccadilly).—The **INDEX**, printed MONTHLY (first published in 1820), of ESTATES, Country and Town Houses, Manors, Hunting Quarters, Shootings and Fishings, Farms, &c., to be LET or SOLD, can be had (free) at their Offices, 25, Charles-street, St. James's, S.W., opposite the Junior United Service Club. Particulars inserted without charge, but for next publication must be forwarded before the 28th of each month.

ESTATES AND HOUSES, Country and Town Residences, Landed Estates, Investments, Hunting Seats, Fishing and Shooting Quarters, Manors, &c.—**MR. JAMES BEAL'S REGISTER** of the above, published on the 1st of each month, forwarded per post, or may be had on application at the Office, 209, Piccadilly, W.—Particulars for insertion should be forwarded not later than the 28th of each month.

SIX PER CENT. DEBENTURES.—The Directors of the **BRIGHTON HOTEL COMPANY (Limited)**, are now prepared to ISSUE a limited number of DEBENTURES for terms of years, in sums of £50 and upwards, bearing Interest at the rate of 6 per cent. per annum, payable half-yearly.

By order, **H. A. LINFORD, Secretary.**
 No. 36, Cannon-street, E.C.

SLACK'S FENDER AND FIRE-IRON WARE-HOUSE is the MOST ECONOMICAL, consistent with good quality:—Iron Fenders, 3s. 6d.; Bronzed ditto, 8s. 6d., with standards; superior Drawing-room ditto, 14s. 6d. to 50s.; Fire Irons, 2s. 6d. to 20s. Patent Dish Covers, with handles to take off, 18s. set of six. Table Knives and Forks, 8s. per dozen. Roasting Jacks, complete, 7s. 6d. Tea-trays, 6s. 6d. set of three; elegant Papier Maché ditto, 25s. the set. Teapots, with plated knob, 5s. 6d.; Coal Scuttles, 2s. 6d. A set of Kitchen Utensils for cottage, £3. Slack's Cutlery has been celebrated for 50 years. Ivory Table Knives, 14s., 16s., and 18s. per dozen. White Bone Knives and Forks, 8s. 9d. and 12s.; Black Horn ditto, 8s. and 10s. All warranted.

As the limits of an advertisement will not allow of a detailed list, purchasers are requested to send for their Catalogue, with 350 drawings, and prices of Electro-Plate, Warranted Table Cutlery, Furnishing Ironmongery, &c. May be had gratis or post free. Every article marked in plain figures at the same low prices for which their establishment has been celebrated for nearly 50 years. Orders above £2 delivered carriage free per rail.

RICHARD & JOHN SLACK, 336, STRAND, LONDON,
 Opposite Somerset House.

SLACK'S SILVER ELECTRO PLATE is a coating of pure Silver over Nickel. A combination of two metals possessing such valuable properties renders it in appearance and wear equal to Sterling Silver.

	Fiddle Pattern.		Thread.		King's.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Table Forks, per doz.	1 10 0	and 1 18 0	2 8 0	2 8 0	3 0 0	
Dessert ditto	1 0 0	and 1 10 0	1 15 0	1 15 0	2 2 0	
Table Spoons	1 10 0	and 1 18 0	2 8 0	2 8 0	3 0 0	
Dessert ditto	1 0 0	and 1 10 0	1 15 0	1 15 0	2 2 0	
Tea Spoons	0 12 0	and 0 18 0	1 3 6	1 3 6	1 10 0	

Every Article for the Table as in Silver. A Sample Tea Spoon forwarded on receipt of 20 stamps.

TO SOLICITORS, &c., requiring DEED BOXES, will find the best-made article lower than any other house. Lists of Prices and sizes may be had gratis or sent post free.
RICHARD & JOHN SLACK, 336, Strand, opposite Somerset House Established nearly 50 years. Orders above £2 sent carriage free.

THE LAW OF TRADE MARKS, with some account of its History and Development in the Decisions of the Courts of Law and Equity. By **EDWARD LLOYD, Esq., of Lincoln's-inn, Barrister-at-Law, London.**

"I am indebted to the very valuable little publication of Mr. Lloyd, who has collected all the authorities on this subject."—**V. C. Wood, in *McAndrew v. Bassett*, March 4.**

London: 59, Carey-street, Lincoln's-inn, W.C.

In one volume, crown 8vo, price 2s.
A TREATISE ON THE ENGLISH LAW OF DOMICIL. Dedicated, by permission, to Vice-Chancellor Sir Richard Torin Kindersley. By **OLIVER STEPHEN ROUND, Esq., of Lincoln's-inn, Barrister-at-Law.**

London: 59, Carey-street, Lincoln's-inn, W.C.